STUDIES IN KAUTILYA

[REVISED AND ENLARGED]

By

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INVOCATION

वंशे विशालवंश्यानां ऋषीणामिव भूयसां।
अप्रतिग्राहकाणां यो बभूव भुवि विश्रुतः ॥
जातवेदा इवार्चिष्मान् वेदान् वेदविदांवरः।
योऽधीतवान् सुचतुरः चतुरोऽप्येकवेदवत् ॥
यस्याभिचारवज्रेण वज्रज्वलनतेजसः।
पपातामूलतः श्रीमान् सुपर्वा नन्दपर्वतः ॥
एकाकी मंत्रशक्त्या यः शक्त्या शक्तिधरोपमः।
आजहार नृचन्द्राय चन्द्रगुप्ताय मेदिनीम् ॥
नीतिशास्त्रामृतं धीमान् अर्थशास्त्रमहोदधेः।
समुद्दध्रे नमस्तस्मै विष्णुगुप्ताय वेधसे ॥
दर्शनात्तस्य सुदृशो विद्यानां पारदृश्वनः।
राजविद्याप्रियतया संक्षिप्तग्रन्थमर्थवत् ॥

"Salutation to the illustrious Vishnugupta who sprung from a great family, the members of which lived like sages, accepting no alms, attained great eminence in the world, who shone like the sacrificial fire, who stood first among those who had grasped the end of the Veda ; who, by his genius mastered the four Vedas as if they were only one ; who by the blazing thunderbolt of his magic, completely overthrew the mountain-like Nanda; who, single-handed, by force of his intelligence, and with a prowess like that of the general of the gods, won the earth for Chandragupta, the pleasing prince; and who churned out of the ocean of Artha Sastra the nectar of polity-Salutation to him.!

'KAMANDAKA'
I Chap: 2-7

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PREFACE

Unlike most other writers on polity, Kautilya is unique in ancient Indian political thought, for he was both a thinker and a statesman; and he participated in the social and political revolutions of his Age, and abstracted from his study of the conflicts, tensions and emotions of the Age, certain general principles capable of universal application, and effective at all times and Ages.

There are certain venerable mis-conceptions about Kautilya and his statecraft. Certitude makes men so confident that their own views are right that they act upon the assumption that other views are wrong. They have the happy certainty that their own opinions are one with ultimate truth. The danger of this certitude is that it makes opposition unendurable to those who possess it. One such certitude has been to look upon Kautilya as a Machiavelli, as though Aristotle, Machiavelli and other European thinkers constitute the yard-stick for the measurement of political genius manifested in other parts of the world. This habit of certitude prevents the student of Kautilya from getting a correct picture of Kautilya's genius and the nature of his Artha-Sastra, for he is liable to become too conscious of its turbid side, or drearily oppressed with its interstatal diplomatic features. To see Kautilya in that Age and weigh him in his many aspects, one needs to go away from his

Age and be, as it were, on a pinnacle where he can take it all with one sweeping glance. Modern outlook and the knowledge of the science of politics will help the researcher, then, to appreciate Kautilya's work in a manner which was unthinkable a couple of decades ago. Here is an attempt to describe Kautilya detached from the inherited prejudices and opinions that have often marred a dispassionate and correct presentation of his personality. Comparisons between Aristotle and Kautilya are made, not with the object to estimate Kautilya's contribution to political thought in terms of Aristotle, but to show how much there is in common between the two greatest political thinkers of Classical Antiquity.

The lectures delivered under the auspices of the Kautilya Mandali, Mysore, are gathered together in this Volume. The main objective of the Mandali, is to give the historical setting for significant Indian problems, to present the under-lying ideas involved in such problems, and to indicate trends or tendencies toward their solution, and thereby encourage the formation of correct judgments on matters of fundamental import.

Several parts of the first edition have been revised and a few more sections have been added in this Edition. Dr. Shama Sastri's translated edition of Kautilya's Arthasastra, Mahāmahōpadyaya Ganapati Sastri's Commentary in Sanskrit on the Arthasastra. Dr. V. R. Dikshitar's "The War in Ancient India" (Longman & Co.) and Sri K.V. Rangaswami Iyengar's

"Some aspects of Ancient Indian Polity" have been very useful in the preparation of this volume, and I am under a deep debt of gratitude to them. I am thankful to my friends who inspired me to write this book and helped me with useful suggestions.

I desire to record my deep sense of gratitude to my publishers Sri Munshi Ram Manohar Lal, Oriental and Foreign Booksellers and publishers for under taking this work, and for the courtesy, patience and promptitude displayed in the execution of the work in a very short time. There are omissions and perhaps short comings, and I take sole responsibility for them, and I beseech the reader to generously everlook the limitations of the volume.

A. P. S. College
Bangalore,
7th September 1958.

M.V. Krishna Rao

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INTRODUCTION

The history of the tradition of Indian politics is as old as the *Vedas*, and politics was known in the early *Smrtis* and *Purānas*, as—*Dandanīti*, whose content was a crystalisation of *Artha Sāstra* and *Dharma Sastra* tradition. Though there are references to the existence of political texts earlier than the fourth century B C, perhaps the most popular and thoroughly scientific and authoritative interpretation of the tradition is the *Artha Sāstra* of Kautilya. This work is the quintessence of Aryan political wisdom as was interpreted and expounded by *Brihaspati*, *Bhāradwāja*, *Vātavyādhi*, and others, and illumined by Kautilya's genius.

With the discovery of Kautilya's *Artha Sastra* by Dr. R. Shama Sastri in 1905, and its publication in 1914, much interest has been aroused in the history of ancient Indian political thought ; and many palpable errors of political judgement based on prejudices and mutilated versions of Indian political life have been eliminated or are still in the process of *being eliminated* A host of scholars like Dr Ganapathi Sastri, Jolly, Dr. Winternitz, Meyers and others have done invaluable service in the dissemination of true knowledge about ancient Indian polity. There has been acute controversy about the author-

ship of *Artha Sāstra* Some of the versions are that the term Kautilya is only a psuedonym , or a symbol of a political tradition or is a term to signify the subtlety and political sagacity of a great diplomat who has elaborated in *Artha Sastra* the tricks deceits and stratagems to be employed against the enemy, scornful of consequences and oblivious of their ethical implications

The author of the *Artha Sastra* is popularly regarded as the contemporary and preceptor of Chandra Gupta Maurya , but there is a School of thought which questions this tradition as Magasthenes the Greek Ambassador in the Court of Chandragupta does not mention the name of the author and the title of his great work In spite of these differences of opinion there are ample evidences to bear out the authenticity of Kautilya and his *Artha Sastra* for in the text itself, he is referred to as the saviour and preceptor of Chandragupta *Kamandaka* another celebrated author of polity and who came on the Indian scene, several centuries after Kautilya re establishes the same theory, likewise Dandin in his *Dasa Kumara Charita* reports that a Vishnugupta composed a political treatise of six thousand *Slokās* for the benefit of Mauryan rulers in the administration of the Empire The *Artha Sastra* is described by Bana as the science and art of diplomacy The author of *Pancha Tantra* mentions that the author of *Artha Sastra* was one Brahmin by name Chānakya In the authoritative judgement of Ganapathi Sastri the author of *Artha Sastra* was named as Kautilya because he was of

Kutila Gotra and since he was born at Chanaka, he was called Chānakya, and his parents baptised him as Vishnugupta. Kautilya was the preceptor of Chandragupta and lived in his court like Aristotle in the court of Alexander.

The *Artha Sāstra* begins with a salutation to Sukra and Brihaspati, and is a compendium and a commentary on all the sciences of Polity that were existing in the time of Kautilya. It is a guidance to kings, in acquiring and maintaining the earth ; Kautilya says that in the light of this *Sāstra* one can not only set on foot righteous, economical, and aesthetical acts and maintain them, but also put down unrighteous, uneconomical and displeasing acts. He composed the text on the basis of the scriptures and the sciences of weapons, and of the earth which he rescued from Nanda kings.

Artha Sastra contains thirty-two paragraphical divisions. It has fifteen *Adhikaranas* with one hundred and fifty chapters, and the *Sāstra* is an illustration of a scientific approach to problems of politics, satisfying all the requirements and criteria of an exact science. There is the statement of *Prima facie* view, *Pūrvapakshā*, and the rejoinder, *Uttarapakshā*, and the conclusion *Ekānta* ; and in the determination of a conclusion, all the different steps involved in reaching it are adopted. Facts are discussed with reference to place, procedure, doubt, implication, contrariety, *Viparyayā, Vākyasesha, Anumata, Vyākyāna, Nirvachana, Nidarshana* and *anāgatavekshana*; there are references to previous portions as well

as to alternatives, *Vikalpa* and *samuchaya* and *Uhya*. Likewise, words in their different connotations, *arthapatti*, implications and application *Atidesa* are examined, also, the author has used his own technical terms *Svasamjna* with a view to explain recondite and complex political phenomena

Kautilya bases his *Artha Sastra* not only on the texts of polity that were available during his time, but also on the experience and knowledge he had acquired on personal observation and on the study of political phenomena and institutions ' Like Aristotle, he corrects his knowledge of theory with practical experience of the forms and practices of government of his time

Sarva sastranyupakramya
Prayogamupalabhya ca

Artha Sastra begins with the examination of the end of societies, in order to determine the place of *Trayi Anvikshiki*, *Varta*, and *Danda* in the scheme of human existence, as these are the light of all knowledge and an easy means for the accomplishment of great acts and the sources of a life of virtue Distinction is made between natural and artificial disciplines, between *Dharma* and *Adharma* and *Naya* and *Anaya* expedient and inexpedient , *Varnasrama* plan is elaborated as the foundation of the social order, and duties common to all are prescribed, like the practice of harmlessness, truthfulness, purity absence from cruelty, toleration and forgiveness , for, the observance of one's duty leads one to *Svarga* and infinite bliss, *Anantya* The *Swami* who is well educated and

disciplined, and devoted to good government of his subjects, will likewise enjoy the earth unopposed. Kautilya, likewise, in his *Artha Sāstra* describes the life of a saintly king and the importance of the restraint of the organs of sense, in the State. The qualifications of councillors, priests and ministers who are to support the king in virtue, are laid down, and methods of ascertainment of character and conduct of ministers are examined through the agency of a formidable system of espionage. Then, follows the duties of the king and of the government servants and so also, an elaborate description of the different departments of State, each under an *Adhyakshā* regulating its personnel, procedure and administration.

The interpretation of civil law, of legal procedure of agreements and of contracts, of ways of resolving and adjudicating legal disputes, constitutes the contents of a few chapters of the *Artha Sāstra*. Criminal Law, *Kantaka Sodhana* is examined next, and measures are described to protect the subjects against artisans, merchants, and administrative officers, and against national calamities due to internal faction and misrule and foreign danger. Likewise, a few *Adhikaranas* are devoted to an explanation of peace and war, policy, nature of external danger, the work of invaders and of powerful enemies, war and stratagy, and above all, of the secret and overt means of destroying the enemy and enlarging the Empire.

Kautilya regards that *Dandanīti*[1] is the source of all *Purushārthas*, and that it is only in a well ordered

and well administered and independent State, that security of property and of life, material and *Varnashrama* existence as a support of *Dharma* are possible. The *Dandadhara* sustains the Universe of *Dharma, Artha, Kāma* and *Moksha*, and so long as he is capable of supporting them, they prosper and vivify life; if he is weak and is bereft of the elements of sovereignty, these *Sādhanas* of earthly and immortal existence, disintegrate and undermine life. Absence of royal power creates the state of weariness of the human spirit, lassitude and corruption of body and of soul, the verisimilitude of the phenomena of the State of Nature. Power, *Nyāya*, rightly and judiciously exercised promotes virtue and makes *Dhārmic* life attainable. Accordingly, Kautilya pleads for the exaltation of royal authority, for the defence of *Varnāshrama dharma* and *Artha* and *Kāma* as these are the bases of culture and civilisation. Deterioration, Stagnation and Progress are the steps ordained by Nature in the evolution of Statehood and the king should therefore attempt to secure that which is mentioned later in the order of enumeration *Ksaya Sthāna Vriddhinām Chottarottara lipsēta.*

The sovereign is beset by internal and external troubles in his attempt to consolidate his Empire. Internal troubles *Abhyantara-Kopah* are due to *Mantri, Purohita Senāpati* and *Yuvaraja*[1] Troubles are also due to *Sanghas* and guilds and corporations as well as due to *Ātma dosa* The *Swāmi* has to be

1. Artha Sastra Book VII. Chapter, 2.

eternally vigilant, for the obstructions to success are passion, anger, timidity, haughtiness, desire for the other world, faith in the auspiciousness of lunar days and stars.[1] As intensity of desire and passions provoke one's own people, and impolicy provokes external enemies, the *Swami* has to scrupulously avoid these characteristics of demonaic life :—

> *Kamādiruthsēktah Svah Prakritih Kopayati*
> *Apanayobhayah Tadubhayamāsurī vrittih*"[2]

Kautilya says "Whoever has not his organs of sense under his control will soon perish though possessed of the whole earth bounded by the four quarters".

According to Kautilya, the most formidable impediments to extension and consolidation of Empire were the factious spirit and strife fostered by corporations and ministers. Kautilya was hostile to Republics which were incapable of strong governments, as weak Republics were always an invitation for fissiparous tendencies and invasions from outside. He says "acquisition of a *Sangha* is more desirable than an alliance of good will or military aid Those which are united in a league should be treated with the policy of subsidy and peace, for they are invincible. Those which are not united should be conquered by army and disunion." Thus, by a policy of

1. Artha Sastra Book IX, Chapter. 3.
2. Kāmah Kōpah, Sadvāsam Kārunya Sānukrosata Paralōkāpekshā Dhāmbikatvam, Mangala Tithi Nakshatra-Stuhtvam, Labha Vignah. T. Ganapathi Sastri.
3. Artha Sastra Book I, Chapter 6.

disunion should the *Ekaraja* consolidate his dominions[1] Kautilya respects the autonomy of stronger Republics and treats such confederate Republics in terms of equality, while he favours the view, of others being either subsidised for military assistance, or isolated, and those incapable of survival, being weakened and reduced by a policy of internal disunion.

Kautilya warns the *Swāmi* against the re-enactment of the tragedy of such lives as those of *Dandikya, Bhoja, Karāla, Vidēha, Ajabindu Sauvira, Rāvana, Duryodhana, Vātāpi, Haihaya* and *Tālajanga*. These were all the rulers of Republican States that had existed before the time of Kautilya. Panini mentions of *Trigarttas, Dandaki, Tanaki, Yaudeha, Madra, Vriji, Andhaka Vrishni* and other *Sanghas*, a few among whom were *Āyudha Jivins* which Kautilya designates in his *Artha Sāstra* as *Sastropajīvins* contrasted with *Rājasabdopajīvins*, whose rulers assumed the title of *Rājan*.[2] The *Satvats* who were identical with *Vrishnis* had the *Bhāujya* Constitution whose rulers were called *Bhojas*. The *Andhaka* rulers are mentioned in the *Mahabharata* as *Bhojas*. The *Yaudēhas* also were called *Bhojas* later. Kautilya mentions of other *Sanghas* as *Pānchalas Kurus, Sauviras, Haihayas, Kshatriyas*, and *Sreni* which perhaps was an abbreviation of *Agra Sreni* noticed by Alexander. Each of these Republics had their own *Lakshanas*, and an *Anka* which was a symbol adopted by elected rulers who gave it up when they went out of office[3].

1. Artha Sastra Book XI, Chapter 1.
2. Jayaswal Hindu Polity P 36, 43
3. Artha Sastra Book XI, Chapter 1.

The most serious of all dangers to kingly authority and a source of peril to the Empire was the inordinate and insensate ambitions of ministers on whose sense of duty and responsibility rested the safety and integrity of the dominions. Accordingly, Kautilya lays down a high and an exacting standard and *norm* for ministers. The qualifications of ministers were to be: high birth, knowledge, foresight, wisdom, boldness, eloquence, intelligence, enthusiasm, dignity, purity of character, firmness, affability, loyalty, devotion and freedom from procrastination, from *feeable mindedness, and sentimentalism*, and *lastly*, perfect self-control[1]. These were high qualifications worthy of the splendour of the end in view and commensurate with the maintenance of an order of society on a truly spiritual basis. It was the minister from whom all activity of the State emanated, such as the successful accomplishment of the works of the people, the security of persons and property from internal and external enemies, remedial measures against calamities; colonisation, and improvement of wild tracts of land, recruiting for the army and collecting the revenue and the bestowal of favours[2]. Kautilya, realizing the importance of ministerial power, recommends that the *Swāmi* should be vigilant and protect himself against the machinations of ministers The *Swāmi* was also to realize that in case, defeat was certain against internal and external enemies, he should flee the country, for self preservation for the moment, as an

1 Artha Sastra Bk 1, Ch 6, Bk V., Ch. 5, Bk 3, Ch. 1.
2. Artha Sastra Bk. IX, Ch 6.

expediency, would be the foundation of future success:

Drsta hi jivita punarāvaptih Yatha Suyhtroūdayanāabhyam[1].

If the Swami lives, his return to power was certain as it happened in the case of *Suyatra* and *Udayana*. The Swami should guard himself against all kinds of treachery[2]. Calamities come from Providence or from men; *Vyasana* is the absence of virtue, and preponderance of vice. *Guna prātilomyamābhavah pradoshah prasangah pidāva vyasanam* That which deprives a person of his happiness is calamity ; *Vyasyati enam Sreyasah iti vyasanam*. The aversion of all calamities is secured from activities that proceed from the minister who would look to the successful accomplishment of the activities of the people ; for the minister is aware of the importance of the treasury as a means of self-realisation. When any part or one of the elements of sovereignty is under trouble, the extent, the affection and strength of the serviceable part can be the means of accomplishing a work. *Kosa Mulohi dandah, Kosabhāve, dandah param gachati, Swaminam vā hanti, Kosohi dharma kāma hetuh.*

Internal troubles due to the power of ministers might be more dreadful than external troubles, for such troubles work like a snake. Mutual hatred, partiality, rivalry and divided rule destroy the State. The control of internal and external troubles is possible

1. Artha Sastra Book VII, Ch. 1.
2. Artha Sastra Book XI, Ch. 1.

effectively only by the people when they recognize as theirr uler a high born prince. Kautilya seems to favour a high-born but a weak king to that of a strong but low-born king, as it is a natural prediliction of mankind to obey a high born king for his virtue and high moral excellences rather than one given to intrigues and surreptitious activities in order to win power. *Durbalāabhıratam Prakrtaȝah Svayam Upanamantı ātȝamaısuarȝa prakrıtıh Anuvartata, Anurāge Sarvagunam ıtı*[1]. The king even when he was powerless, still was the symbol of State, and of all *Dhārmıc* duties[2]. Rulership was the highest in society for all times, for he was the standard of sovereignty, to rally loyalty and to hold the Empire together; and Kautilya is unequivocal in his acknowledgement of the paramountcy in the State, of *Dharma, Law and Swami.*

Accordingly, Kautilya envisages the birth and expension of an Empire of righteousness under the aegis of a high born and noble king supported by an enlightened, magnanimous, high-souled and selfless ministry. The notion of frontiers of such an Empire is expressed in his description of *Chaturānta Mahīm,* and he defines the imperial field as lying between the oceans and the Himalayas. Kautilya uses the terms *Desa* and *Chakravartı* in the place of *Sārvabhauma, Sāmrat* and *Ādhıpathya,* perhaps to emphasise the basic idea of *terrıtorıal* sovereignty within which the fundamental unity of *Janapada* was to be secured by bureaucratic

1. Artha Sastra Book VII, Ch. 2.
   Artha Sastra Book V, Ch 6.

centralisation and the development of an unilateral authority under the inspiration of one outstanding personality[1] *Desha Prithvi tasvām Himavat samudrāntaram udichinām yojana sahasra Parimānam tiryak chakravarti kshetram tatraranyo grāmyah parvata audaki bhaūmah samovishama iti viseshah*[2] The Empire is to consist of a territory lying south of the Himalayas and extending to the ocean with an area of one thousand *Yojanas* and covered with forests, villages, waterfalls and lakes and rivers, level and fertile plains, in which strenuous work could be undertaken conducive to power and prosperity; furthermore, strenuousity was to be determined with a proper appreciation of strength, place and time of undertaking, as these were complementary *Parspara Sadhaka hi Sakti Desa Kālah*

This was the dream of Kautilya and he witnessed during his own life time, the irresistible expansion of the Mauryan Empire under Chandragupta and Bindusara Most of the principles of polity, enunciated by him were adopted by the administration and *Artha Sastra* turned out to be a text book for princes, like the rain of night, it restored colour and force to political ideas which had been blanched and wearied by the acute religious controversies of contending religions, like Brahminical Hinduism and Buddhism With gentle fertilising power, it awakened within the mind of his contemporaries many latent elements, and gathered round them materials

1 Artha Sastra Book III, Ch 1
2 Artha Sastra Book IX, Ch 1

for the future and images for the use of talent The *Artha Sastra* brought up the lagging side in all the vitality around the individual, and asserted for man, the worth, the meaning and the possibility of human life The period of *Asoka* witnessed the fulfilment of Kautilya's dream of a *Dharma Rajya* which vivified the experience, the knowledge and the matured reflec tions of the past and opened out the far vistas of moral possibility The Age gave the individual, some conception of the solemnity, the vastness, the unity and the purpose of life, and to search after some of the essential relationships of man to man Asoka built his great Empire on the basis of Kautilya s *Artha Sāstra* and the scheme of administrative machinery outlined in its pages And thus Kautilya was the prophet of Asoka's kingdom of righteousness

The discovery of *Artha Sastra* has contributed much to the enrichment of the knowledge about ancient India It was in the fitness of things, that with the birth of Indian Independence, we should be inclined to ante date our existence, for occasional inspiration and guidance, to that period of classical antiquity when Kautilya Chandragupta, Bindusara and Asoka by a supreme effort of the soul, realised for mankind, a distinctive and a unique political experience not yet repeated even imperfectly, in any part of the world since then

CHAPTER II

THE DATE OF KAUTILYA AND THE NATURE OF HIS GENIUS

There has been a good deal af controversy about the authorship and date of Kautilya. Jolly in his work 'Artha Sāstra of Kautilya'[1] has pronounced it to be a piece of literary forgery of about the third century A. D., and that the real author of the work was a theoretician and not a minister, and that Kautilya was a fictitous name as the traditional accounts of Kautilya do not refer to him; as his name is never mentioned by Megasthanes; as Patanjali in his *Mahābashya* refers to Chandragupta and the Mauryas and is silent about Kautilya; and as the work which is full of pedantic classifications and puerile distinctions, appears to be more the work of a *Pandit* than a wise statesman. K. P. Jayaswal thinks that there are pieces of evidence in the *Artha Sastra* which are only compatible with the fourth Century B.C. The use of *Yukta* refers only to the Mauryan times; *Yuga* means five years, and the rainy seasons are mentioned as starting in *Srāvana* rather than in *Āshada* there are references in *Jaina, Buddhistic* and *Brahminical* literatures to Kautilya as the Minister of Chandragupta. The great literary and political writers like *Vātsyana, Kāmandaka, Dandin* and *Medhātithi,* mention

1. Dr. Jolly, Artha Sastra of Kautilya 1923. P. 1-47.
2. K.P. Jayaswal. Hindu Polity, Appendix P. 203.

Artha Sāstra as a classical treatise on Polity. The mention in the *Artha Sāstra* itself of *Mahāvisi* or *Mahāvrisha* of the *Veda*, for exports and imports, of wines from Afghanistan, of weights and measures of *Sibi*--all these evidences indicate an earlier origin to the work.

Aristotle

Kautilya might be regarded as a contemporary of Aristotle. The 'Politics' of Aristotle more than any other single book gives an orderly and comprehensive notion of what the Greeks meant by the State. His 'Politics' is the embodiment of shrewd experience and political sagacity. Like Plato, Aristotle sees the need of reconstruction of society on enduring principles of goodness and justice But reconstruction is to be on the foundations of the past, and Aristotle does not break sharply with the past, and as a profound student of Hellenic civilisation in all its phases and existing political institutions, he has a contribution to make to the science of Politics whose principles are based on deductions from contemporary political data.

Plato was Aristotle's master, and Plato's political inheritance passed on to an equal who could maintain the continuity of speculation and could be sufficiently independent to give a fresh impulse and direction in inquiry. Aristotle founded his school in Athens in 335 B. C. twelve years after the death of Plato, and there he composed his five great books on Politics. There might have been long intervals between the appearance of one book and the other. The career of Macedon was needed to make the failure of the city

states of Greece, quite manifest. Aristotle was one of those who was saved for philosophy by belonging to a small state which was then in ruins. He was forty years younger than Plato to whom he came for study at the early age of seventeen and remained as a pupil for a considerable period.

Aristotle's father Nicomachus lived at the Court of Amyntas as a phys'cian and friend, and he was from Stageira ; and Aristotle's mother was of Chalcidean origin. Aristotle spent the best part of his life in Athens which in spite of its decline had left a permanent impress on his mind. With the death of Plato in 347 B. C. and the succession of Spensippus, the nephew of Plato, to the headship of the School, Aristotle left Athens with Zenocrates, not in a spirit of antagonism, but with a zest for adventure and in search of a place to establish a School, assisted by Zenocrates and Hermias, his friends and also pupils of Plato. He peregrinated from Athens to Atarneus where he married the niece of Hermias, and then went to Mytilene. In 342 B.C. he was summoned to Macedon to become the teacher of Alexander who was then only thirteen years of age. It was a matter of surprise, that Aristotle should have been willing to exchange Platonic Academy to the humble position of a tutor to Alexander, at Pella.

Alexander became the king of Macedon in 336 B.C. and Aristotle whose love for Greece and the autonom of Greek City. States was intense, moved south to

Athens. Aristotle's close connection with Macedonian Nicanor made his position at Athens precarious, for he found himself in the midst of foes. Alexander's triumphant return from Asia, his interference in the internal affairs of Greek States and his demand of subservient homage from the Greeks, and lack of discrimination in rule and in methods of treatment between the Greek and the Oriental, wounded Aristotle to the very core, for Aristotle was too good a friend of Macedon for the Athenians and too firm in the assertion of Hellenic dignity and self-respect for Alexander. As a result of storm of anti-Macedonian feeling after the death of Alexander in 323 B.C. Aristotle was indicted of impiety on account of his *scolion* to Hermias and was threatened with punishment. He retired before trial, to Chalcis where he died in 322 B.C.

Aristotle combined a high estimate of the contemplative life with a high estimate and a noble conception of friendship. He saw Athens in its faction-ridden condition which was morally and politically ruinous, and he hoped to be of service to Greece through Macedon, and accordingly advised Alexander to rule the Greeks as the head of a hegemony, and the Orientals as a despot. Macedon was to be content to rule the Greeks as freemen should be ruled and Greece was to silence her factions and call to power 'those who would rule rationally and for the common good, such as those who are swayed by reason rather than by impulse, and exposed neither to the corrupting influence of extreme wealth nor to

the equally ruinous effects of extreme poverty. He yearned for the establishment of a *Modus Vivendi* between Macedon and Greece and regarded the Hellenes as possessing the best right to rule, in virtue of their well-balanced union of heart and intellect.

Aristotle made clear, the philosophical basis of Plato's teaching and systematised the notions of Political science particularly the conception of *State*, its end and true organisation adapted more to the *individual* than to the *divine*. He invested political science with supreme authority over the life of the individual and the arts and sciences dependent on it, and required them to rise to the level of the great position assigned to it. He ascribed to political science an ethical aim, a practical purpose and yet an ideal method. Political science was to construct an *ideal State*, ahd further, to make the State workable by men and thus useful and beneficient.

Kautilya

There has been a good deal of controversy about Kautilya's existence. Jolly and Schmidt, Winternitz, A.B Keith and Hildebrandt and others differ (violently) as to the date of Kautilya from other equally well-known Indian scholars on the subject and whose integrity of scholarship and historical judgement cannot be challenged. The more one reads the *Artha Sāstra*, the more he is persuaded to realise that the assertion about the date of Kautilya by Dr. R. Shama Sastri, T. Ganapathi Sastri, R. G. Bhandarkar, K. P. Jayaswal, and others has the air of

infallibility about it[1].

Evidences are not wanting to prove tha Kautilya's work contains many references to a perioc which might be regarded as similar to that ol Alexander's invasion of India. The *Artha Sāstra* was an effort to reconstitute a decomposed social order, rudely shaken to its foundations by Hellenistic contacts. The statement '*Kautilyena Narendrārthe Sāsanasya vidhih Krtah*' is significant indicating Chandragupta as the Emperor[2]. Tradition too, mentions of Kautilya as the preceptor of Chandragupta, just as Aristotle was of Alexander. Legends reveal that Kautilya was a student at Taxila and that he as the companion of Chandragupta contacted Alexander in one of his compaigns in the valley of the Punjab and came back to his original home determined to emulate the example of the great conqueror. The progress of a conquering king *Vigigishu* like that of Alexander was indelibly impressed on the mind of both the preceptor and the pupil, and a detailed description of an ideal king on the march is manifest in many *Adhikarnas* of *Artha Sāstra*[3].

1. R Shama Sastri Artha Sastra Fleet's Introductory note *T Ganpathi* Sastri's introduction to his Sanskrit critical edition of the Artha Sastra *K P Jayaswal* Hindu Polity, Appendix, *R G Bhandarkar*, Annals of the Bhandarkar's Institute, VII 1925-26.

   K A Nilakanta Sastri Annals XXVIII 1947.

2. Ganpathi Sastri Artha Sastra Book II, 11.

3. Asvaghosha in the second century A D refers to Vigigishu and to Kautilya in the words *Kshatravidya Paridhristeshu Niti Kautilya Prasangeshu Buddacharita XI.*

Again, Kautilya was placed about the fourth century A. D. on a level with the ancient *rishis* in point of antiquity and the high reputation of his work[1].

Kautilya probably belonged to Magadha and lived in Pataliputra where civic life aimed at the complete identification of the individual with the community. Kautilya might have even shared the political and imperial splendour of the incomparable Pataliputra which might have turned out to be a necessary ferment in the maturisation of his political ideas Kautilya's *Artha Sastra* reads like the notes of an official[2] with an all round experience based on practical knowledge. The accounts that he gives of agriculture fit in admirably with conditions that existed and that exist in South Bihar, the home of original Pataliputra.

References[3] to the size of the village in close proximity to a fairly populous part, the repeated mention of forest tribes of Central India, the preference for trade-routes to the South of India by Kautilya, confirm the view that he might have lived in Magadha

1 Johnston while discussing Lankāvatāra Sūtra (4th Century A D) says that 816 verse in the *sutra* speaks of the following order of *Rishis* Pānini Kātyāyana, Yagnavalkya, Valmiki, Masurāksha, *Kautilya* and Ashvalayana J.R A S. 1929, p. 87.

2 Artha Sastra Book II, 12

3. Artha Sastra Book VII, 12, 30

The religious data in *Artha Sāstra* suggest that Kautilya flourished, within a couple of hundred years after the birth of *Jainism* and *Buddhism*. *Vedic* ritual was still in vogue, and Kautilya seems to have attached great importance to *vedic* sacrifices and their potency in warding off evils, afflicting the State. There are references to *Agnisthoma*, *Madhyamopasad Ahargana*, *Brhaspatisavana* and *Rajasūya* rites and to their efficiency as *Yagnas*.[1] Kautilya mentions of *Vedic* deities as *Agni*, *Varuna*, *Yama*, *Asvinis*, *Vaisravana*, and *Jayanta*, who had to be propitiated for averting national calamities; and accordingly, the king was advised to visit such places of worship.[2] Other deities that were housed within the fort were *Vaijayanta*, *Vaisravana*, *Aparajita*, *Durga*, *Apratihata*, and *Siva* and *Vishnu*. It is remarkable that there is no reference in the *Artha Sāstra* to *Buddhism* or *Jainism* and probably these religions had not attained great prominence[3]; but the text abounds with references to *Pasanda* heretics with matted hair, and *Biksuhī* and female mendicants. *Caitya* and *Stūpas* in the original sense of burial grounds,[4] installed at some distance from the city *'Smasāna Pramukhe'* are, referred to by Kautilya, probably as crematoria haunted by evil spirits. The Buddhist or Jaina mendicants enlisted themselves in the service of the king as informants or spies or recluses feigning fasts and penances and pretending offering oblations to Gods but secretly

1. Artha Sastra Book III, Sec 14, Book V, Sec. 3
2. Artha Sastra Book XIII, Sec 12, 91, Book IV, Sec 3.
3 Deutsche Morgenlandische Gesel Schaft, 1929, P. 250.
4. Artha Sastra, Book XIII, Sec. 2

watching the movements of suspected characters The descent from the ideal of the fourth *Asrama* to that of the second for purposes of defence of state s integrity, even in the case of ascetics was commended by Kautilya and he ordained that heavy fines should be imposed on all who embraced *asceticism* without making sufficient provision for their families Kautilya discouraged *psuedo asceticism* as that would devitalise society and would militate against strict observance of *Asrama* stages of existence, which were so important in the fulfilment of the highest ends of the State Kautilya had a natural horror of the Buddhistic religion which had ceased to be meta physical and by inculcating renunciation had tended to disintegrate social life

Like Aristotle the author of the *Artha Sastra* felt that to hold aloof from office and political activity and to spend one s life in pure contemplation was not the only course worthy of a philosopher , nor was it on the other hand to devote oneself to an inactive life. Those whose minds were busy with thoughts that were an end in themselves were active in the truest sense for a life of this kind involved an internal inter action of parts The best life was the practical life the life of activity *Udyama* in accordance with virtue and the capacity for the highest kind of action It was in a mental activity of this kind that the State found its culmination, in a speculative life not without some admixture of political activity The *Srotriya* attended to religious and spiritual welfare of the State, and *Ritvik* and the *Purohita* received the

hightest salaries (48,000 panams per annum) as they were to conduct propitiatory ceremonies to avert national danger.

As in the polity of Aristotle, so too, in the polity of Kautilya, the *Purohita* was not an element of sovereignity, but was an important agent in the preservation of State's integrity. He was a judge and magistrate, councillor and advisor to the King and went to the battle-field to stimulate soldiers with enthusiasm by quoting *Vedic* authority and promising them the delights of paradise. There is a keen appreciation of the significance of *Vedic Dharma (Trayidharma)* and the *Srotriya* had a definite place in the scheme of Kautilya's polity and he quotes the well-known statement, that guided by the *Srotriya* the Kshatriya-ruled kingdom prospers[1].

Kautilya was a firm believer in the *Brahminical* theory of the Universe and a strict adherent to a social system founded on Brahminical religion and custom with its four castes and *Asramas*. But Kautilya was a lover of *Ahimsa*[2] and the prohibition of suicide and castration of animals are instances to demonstrate the influence of Buddhistic teaching *Sarveshām Ahimsā Satyam, Saucha Manasayānrshamsyām Kshamā Cha.* At the same time, Kautilya provides for slaughter houses, and permits the sale of fresh meat. Though it is difficult to reconcile

1. Artha Sastra Book I, Sec. 9.
2. Artha Sastra Book I, Sec. 3.

Kautilya's preaching of *Ahimsa* with the provision of slaughter houses, one cannot escape the conclusion that Buddhistic influences had slowly begun to permeate a society which Kautilya loved and which was dominated by ritualistic Brahminism with its sacrifices and ceremonials.

Kautilya was the first political thinker who sensed the impact of Buddhism on the vital religion of *Brahminism* which was to be transformed by the impulse of a new *dharma* by about the end of the fourth century B. C. Kautilya's love of *Trayīdharma* was too intense for a reconciliation and a compromise. At the same time, Kautilya could not avoid the fascination of the doctrine of *Ahimsa* inculcated by Buddha.

Kautilya's pre-occupation, with auspicious and purificatory ceremonials, with magical and mystical rites, his fear of the unknown, and his belief in the efficacy of spells, incantations and witchcraft, bear eloquent testimony to his faith in the *Atharva Veda.* Arthasastra was regarded as the *Upaveda* of *Atharva Veda* as well as of *Rigveda* and Kautilya was indebted for his faith in *Artha Sāstra* and *Atharva Veda* to *Bṛhaspati* The *Artha Sāstra* of *Bṛhaspati* was one of the primary sources of study for Kautilya[1] as *Bṛhaspati Sūtra* was for *Asvaghosha, Vātsyāyāna, Bhāsa,* and the seer of the *Mahābharata* Kautilya likewise mentions the School of

1 Artha Sāstra by Shama Sastri, Second edition pages 6, 29, 63, 177, 192, 375.

Mānavas, Bārhaspatyās, Aūsanasās, Ambhīyas (Taxila) *Parāsharās* and individuals like *Bhāraduāja, Vishālakshā Pisuna, Kāunapadantā, Vatavyadhi* and *Bahudanti Putra* Some of the passages in Kautilya bear close resemblance to passages in *Brhaspati Sūtra*[1].

Kautilya's attitude to religion was secular and not apathetic. As A.K. Sen says Kautilya is not immoral but unmoral in his politics ; he is not religious but unreligious in his politics[2] and is prepared to use religious sentiment and religious institutions for political expediency and for the noble ends of the State. The injunctions of *Brhaspati* are accepted by Kautilya. *Nitih „ Phalam Dharmāārtha Kama Avāptih , Dharmena Kamārthan parikshāī—Dharma Dharmena, Artha Arthēna, Kama Kamena*— right by right, advantage by advantage, pleasure by pleasure ; but *Dharamapradānām Purushārthēna*[3]. Right is the main factor in policy and not personal objects. Certain fundamental postulates are recommended against *Adharmakēshu*.[4] Kautilya recommends the method of keeping weapons inside an idol to destroy an enemy king who comes

1 Brhaspati Sutra, *Adhyāya* I *Atmavān Raja ; Atmavantān Mantrinām Apādayet* See Artha Sastra Bk 1, Sec 1 : in the description of the king, in the use of *Nalikas*, of the components of *Vārta*, in the description of the fruits of policy as the attainment of right, advantage and pleasure, in the dedication to *Tirthas*, there is great similarity between the two philosophers

2. Calcutta Review , December 1926. Studies in Hindu Political thought, 1920

3. Brhaspati Sutra Adhyaya III 43-55.

4 Kautilya , Artha Sastra Bk. XI, Ch. 1 Bk. XII Ch. 2.

for worship[1], to frighten the enemy and encourage his soldiers, to give publicity to his 'power of omniscience' and his power of holding intercourse with the Gods. Spies were to be concealed in the interior of hollow images to speak to the king[2]. Sinister methods were to be adopted whereby an enemy king could be got under power and magical tricks were to be employed to fascinate them. Witchcraft is suggested as a part of the art of war[3]. All these bear out the lively interest, Kautilya had in the injunctions of *Bṛhaspati* and in the content of the *Atharva Veda.*

Another parallel that strikes any casual student of Aristotle and Kautilya is not merely their contemporaneity, their close association to the two great conquerors, Alexander and Chandragupta, but their attitude towards the Republican forms of government in a state of decrepitude and decay.

Aristotle was a lover of a well-balanced Constitution, and spoke of the necessity of watchfulness to prevent infractions of legality and designs of hasty innovation for purposes of self-aggrandisement. Good government was also necessary and power should be given to men who are not only skilled in the work to be done, but also endowed with the type of virtue which is most in harmony with the particular Consti-

1. Artha Sastra Bk. XII Ch. 5.
2. Artha Sastra Bk. III Ch. 1.
3. Artha Sastra Bk. XIV Ch. 1 Journal of the American Oriental Society 1920. ..

tion. Vigilance, good conduct, thoughtfulness for those excluded from power, and moderation, and a suitable training for the citizens are the safeguards of a Constitution[1]. The States must be so organised as to develop within it a class of *virtuous* men and philosophers who assert the supramacy of *reason* both in the State and in the heart of the individual. To Aristotle, political art, then, was the *means* by which the individual was enabled to make the link which bound him to the State which was a blessing, though the State could not over-rule nature and fortune or make good all defects of material and of circumstsnces. Political art could not render to human society everywhere, all that it ought to be, but it could point out what the State was at its best.

Kautilya, likewise was distressed at the weaknesses of city states and *Sangha Rājyas* manifest all over the country, and pleaded for an organic conception of the State which should have one directing organ. The king[2] was to the *Saptāngas* as the brain was to the human body. Kautilya felt the need of arresting forces of disintegration, and he tried to abolish it by exalting *Dandanīti*, and making the king the apex of the whole structure, demanding conformity to *Varnashrma Dharma*, on the part of the various classes The course of the progress of the world, depends upon the science of *Dandanīti*, and the central thought is the methods of those who wield the power of the State.

1 Newman The Politics of Aristotle P. 538.

2. Artha Sastra Book VIII Ch. 2 Bk. I Ch 3.

Artha Sāstra was written more from the standpoint of the governor rather than the governed and this reveals that Kautilya was interested in the establishment and operation of the machinery of government, in the forces through which governmental power was generated and applied, so that the integrity and solidarity of the State was preserved and without lapses to *Matsya Nyāya.*

Plato true to the mind of his master, Socrates, had made it the aim of true knowledge that it should issue in action, and he even attempted to translate his philosophy into action himself and to induce Dionysius to realise the hopes of his Republic. The politics of Aristotle was also meant to guide the legislator and the statesman and to help them either to make or improve or at any rate to preserve the States with which they had to deal. Macchiavelli had written '*The Prince*' with the object of indicating the methods by which Lorenzo de Medici could make himself master of all Italy, and *Bussuet* commanded by Louis xiv undertook the education of the Dauphin for the same purpose

Kautilya wrote his *Artha Sāstra* for Chandragupta Maurya[1] and gave probably the first authoritative account of political and social conditions in the Gangetic plain in the Age of Alexander. A large number of autonomous political societies similar to the contemporary States of Greece and Italy flourish-

1. V. A. Smith : The Early History of India, P.137.

ed in India between 600 B. C. and 323 B.C. They constituted the first experiment in Republican and democratic government. In the Indus Valley down to Sindh, the *Agrasrenies*, *Muchikarnikās*, *Ambastās*, *Vasatis*, the *Brahmans* were the principal tribes with Republican traditions. In the West there were the *Khāmbojas*, the *Katas* with a high reputation for courage and skill in war, the *Sāubhuties*, the *Yaudheyas*, and the two federated peoples, the *Sibis*, the *Mālavas* and the *Kshūdrakas*, the most numerous and warlike of Indian nations of the day. There is the unimpeachable testimony of Kautilya about the existence in Middle North India with which he was familiar, the *Kukuras* the *Kurus* and *Pānchalas* with republican forms of Government and the classical *Vrishnis* In the regions comprising modern Bihar and Bengal, a number of Republican peoples existed in the time of Kautilya like the *Sakyās*, the *Kolulas*, the *Mallās* at Pava and Kusinara, the *Vajjians*, the *Bhaggās* and *Moriyās*,

The governments of these *Sanghas* conformed to a general type which was first described by Aristotle. The chief organ in these states was a large deliberative Council, as the Council of 7707 kings among the *Vrijikas*, the Council of 500 among the *Sakas*, the Assembly of 5000 among the *Yaudheyas* and the Council of Elders among the *Ambastās*. Elaborate regulations as regards the moving of Resolutions, the taking of votes and other matters of procedure obtained in these Councils as in the Councils of the City-States of

Greece. The Councils were aristocratic or oligarchic and the citizens of each *Sangha* greatly exceeded in number, the members of the ruling classes. The methods of choosing a king, or organising the judiciary and the administration were similar to that obtained in Greek towns. A great spirit of individual freedom prevailed among the *Sanghas*. Arrian and other Greek writers testify to the high intellectual and literary eminence of the people particularly of the *Lichechavikās* and *Vrishnīs*, who by their philosophic and literary activity promoted that ferment which was to blossom out in the great reformist religions of *Buddhīsm* and *Jainism*.

As in the case of the City-states of Greece, the *Sangha Rājyas* soon became a prey of party strife, and their unity and brotherhood were threatened by internal disorder, mutual jealousies and hereditary factions. The missionary preaching of Buddhism, Jainism, and Bhāgavatism was another source of disintegration, in that the citizens were persuaded by an inner urge to desert their homes and ranks of public life and to go out on mystic quests, and this undermined the tribal solidarity of the *Sanghas*.

Kautilya, like Aristotle, was an admirer of the *Sangha* solidarity and its excellences, but he was to make use of them for purposes of policy and for the realisation of Imperial destiny. It was a Kautilyan axiom that just as a man never does his duty unless threatened by *Danda* of the king, nothing could be

expected of States and *Sanghas* possessing no conscience and obeying no common superior ; and therefore Kautilya argued that the concept of *Chaturanta Mahim* fitted in with his estimate of human nature.

CHAPTER III

NATURE OF KAUTILYA'S GENIUS

Kautilya gives an orderly and comprehensive notion of what the Aryans meant by the State. In the *Artha Sāstra*, Kautilya embodies the common-sense of ancient Aryan life raised to a higher power, and clarified and systematised by a master mind. Kautilya is faithful to the religious and political principles that inspired Aryan life. His *Artha Sastra* is like Aristotle's Politics, and is not an arbitrary creation or a work of fancy, but stands in much closer relation to reality than the works of earlier *Smṛtikāras*. Like Aristotle again, he is a great student of the existing Republican governments, *Dvairājya, Vairājya, Arājya* and other *Sangha* forms of government. and is the best interpreter of Aryan civilization on its economic and political side. He takes account of all current conceptions and actual institutions, and in an attempt at a synthesis of their foundations of belief, lifts both the idea and the real, into a higher plane of thought.

Kautilya too, like Aristotle, has the same fearlessness of intellect, the same passion for truth and the courage to put faith in reason, and in following its guidance, and to take no account of its consequences. Kautilya has the same cautious reverence for the sacred laws of the past and this alternates with bold utterances in moments of illumination that are rarely

met with in other Indian political thinkers Like Aristotle's Politics, the *Arthaśastra* reveals classic clearness of outline and precision of form There is reflection as well as observation Kautilya compares his reports, weighs his evidence, conscious of his own office as an inquirer after truth, and is thoroughly scientific, and is detached in criticism of contemporary phenomena He is not the victim of oversubtlety which is the vice to which modern scholars are inclined His thought and expression of thought are not menaced by the love of formal antithesis and of fine-drawn distinctions The primitive energy of technical words is unimpaired but a kind of distinction to what was familiar in his times is imparted Absence of exaggeration and an unobtrusive propriety of diction, directness of vision and sharp outlines of thought are revealed even to a cursory study of his work

To reason and not to emotion, Kautilya addresses the final appeal The shadow of fatalism which rested over the Epics is removed and Kautilya like Aristotle, stresses the importance of individuality and individual responsibility, and the value of human endeavour in securing the best in this life, for, the doctrine of moral responsibility for consequences which every Hindu accepted, made it obligatory for every man to realize the duties of his station and fulfil them to the best of his abilities Kautilya is philosophic, not as a speculative philosopher who has a system to expound but as one who looks beyond the peculiar phenomena

with which he is dealing, and discerns the universal type in and through the individual monarch.

His philosophy of History is not fatalistic. History is no longer the result of the vengeance or jealousy of superhuman powers, but the expression of human intelligence. Kautilya's analysis of *Mantra Sakti, Prabu Sakti* and *Utsāha Sakti* is penetrating, and he seeks to discover through them a rational basis for political conduct. Reason is a formative and conquering power, and he believes that a strong and clear intelligence can prevail over outward circumstances and can shape events; that victory is assured to those who see things as they are, and shun illusion and who at the same time summon to their aid of thought a sustained and courageous energy, wisdom and heroism. The description of the king's attributes as corollaries of Royal power is amazingly similar to what Thucydides puts in the mouth of Pericles; the words 'Debate we hold, does not mean action; the mischief is rather setting to work without being first enlightened.'[1] There is the application of a clear and fearless intellect to every domain of life. The analysis of social organisation is rationalistic, completely divorced from dogmatic and theological considerations. There is the awakening of the lay spirit, and an attempt at secularisation of political and social life. The Sacerdotal influence is slight; not there were no priests, but the priests never became Corporations. They accompanied the

1. Thucydides II : 40

king in war and not as theologians but as liturgical functionaries. The *Purohit* has no place in Kautilya's concept of *Saptānga Rājya*.

Again, there is a striking resemblance between Kautilya and Aristotle as regards their conception of Statehood. The State rests on definite and enduring relations which were above the caprice of individuals. The *Arya* as the citizen enters at birth into the common heritage of race, language and custom, and he found about him a frame work of customs and institutions which he had not made and as little could unmake; within the sphere of his group, he moved as in his native element and felt no revolt against the fixed conditions of his civic existence. He was virtually one with all the rest, one with the social organism and with his own environment.

To both Kautilya and Aristotle, the City or State was not an organization, but an organism; it was no lifeless machine of government, no alien force imposing itself on the citizen, but a living whole which took upon itself all individual wills. It was the individual on his ideal side, his true and spiritual self and the glorified expression and embodiment of his noblest aims and faculties. It was the symbol of a higher unity in which the individual merged his separate self. Society under the king was an organism to Kautilya, while the Society and State were one and indivisible to Aristotle. Man was complete in the State and he had no rational existence outside it. Only through the social organism could each part

develop its inherent powers The Greeks and their philosophe s had an abiding sense of man s helplessness and of the mystery of man's fate and there is no trace of the thought in them that the human race is advancing towards a divinely appointed goal Deeply corrupt in all its parts society does what it can to debase the noblest of its members and the only chance of regenerating it lay in subjecting the individual to the rule of philosophers in the State

But the Hindus believed in progressive expansion and orderly development They pinned their faith in an ideal and in the creation of a great spiritual sentiment transcending local limits and intertwined with the highest hopes that could be conceived for humanity. They looked to a spiritual restoration

To Aristotle the State was indistinguishable from Society The State was not an association for the protection of rights only and was not brought together by force or fear for increase of wealth for the development of trade or for the extension of Empire It was animated by a single aim to live the noblest life of which man was capable unimpeded in the exercise of the highest qualities, moral and intellectual

The State had a spiritual function The City was the teacher, the guide of life and sovereign educator Aristotle attributed to the State a more complete personality than it really possessed and did not appreciate the independent worth and dignity of all human beings He only speaks with a glow and

with enthusiasm of man in the exercise of his sovereign authority of reason Aristotle did not realise that within the deeper regions of man is embedded a self which colours man s personality and which is a common bond which unites all human beings He had no deeper view of the human brotherhood The moral and intellectual well being of the citizen ranks first among the ends of the State The acquisition of wealth is secondary Wealth trade Empire material comforts all must be subordinated to this paramount end The people ought to be possessed by the disinterested love of what is noble and should pay heed to that higher elevation of moral and intellectual achievement, of learning and of science and culture which is the crown of social existence Aristotle thought that the greatness of the State was not in its structu e or in its institutions but in the quality of its individual citizen

Aristotle invested the City with a sacred character from the outset made it the home of gods and the embodiment of moral law and a spiritual centre for its citizens He invested the City with divinity because he realized that in aspiring to be secular and a material power Athens had lost her spiritual wisdom There was the weariness of the flesh and the lassitude of the human spirit and these were evident in the lyrics poetry and drama of Athens Her greatest writers like Pindar Sophocles Aeschylus all craved for a religious centre and for some authoritarian voice in conduct and belief The foundations of right and wrong and public and private morality

had been questioned The City State had been cut into factions, and violent intestine feuds had sapped the vitality of the Greeks The disease of internal feud was like an epidemic Thucydides stated that this fell disease '*Stasis*' or internal dissension or factitious strife, would consider defects of character as excellences, and change virtue into something foreign to man's nature, inherited animosities had aggravated the disease and the life blood of the State was poisoned and every organ had lost its natural and healthy action With loss of sanity and unity came the loss of the spirit of youth and independence which had created great poetry and art

Aristotle speaks in Book VIII of one of the forms of the Oligarchical *oaths* pledged not only to be loyal to one another but to do to the opponents all the harm of which they were capable In this Chapter which he calls the *Pathology* of Greek Society, he diagnoses the disease as due to an imperfect sense of political justice, leading to a contempt of intellectual worth and moral goodness, and he suggests that by education and the adoption of the principle of the *Mean* and a reasonable and practical policy, the disease might be controlled and remedied Where was there a power which could restore unity and could rest morality once more on a sure basis ? This puzzled his mind.

Both Plato and Aristotle turn to the State and associate with it many of the functions which were afterwards adopted by the Christian Church The State on the secular side regulated production and

distribution of wealth, it laid down minute rules for the guidance of the individual from the cradel to the grave, it exercised complete control over all practical arts and took the charge of completing the education and culture of its citizens But, the control over the individual extending even to the details of domestic life and thought, could not but defeat the purposes of culture and of free self development, which the State was intended to promote The State sketched by Plato and Aristotle was modelled largely on the Constitution of Sparta and Crete and exhibits their defects in an extreme form It must be said that the problem of the relation between the State and the Individual was very imperfectly solved in Greece In Athens individual liberty was most regarded, and only certain urgent public needs were supplied mainly by the precarious method of private generosity instead of by the State organisation In order to realise the functions of State effectively, Aristotle says that the true limit of the population of a State is the largest number which suffices for the purposes of life and which can be taken in at a single view [1]

According to Aristotle, States are like plants or animals and so cannot exceed a certain size without losing their true nature Law is a kind of order, and good law is good order but the majorities cannot be clearly restrained without the aid of some divine power or an institution that is invested with divinity Wise decisions and wise election of governors of the

1 Politics IV, Newman Vol I pp 313 14

State would be achieved only when the citizens knew each other's character, and this was possible when the states were small otherwise if they exceeded beyond a certain point, they would have to face new duties and responsibilities and in the result their colour changed and their outlines lost their sharpness

Aristotle did not therefore contemplate in any of his political writings an Imperial State in which one State ruled a number of others because the conquering states would be incapable of taking responsibilities outside their natural sphere of action and the conquered would choose to be self sufficient and thus lose their true existence The State would not be able then to realize the best life and might do permanent harm to States in which the best life flourished

Aristotle did not envisage Federations wherein individual governments were equal and were connected for common purposes by a common central government To him both Empires and Federations were incompatible with City State s existence in perfection and with the good life of its members Aristotle was so much absorbed in the promotion of the good life and the abolition of internal dissensions that were enfeebling the body politic that he was prepared to represent the prevalent feeling which desired even outside Hellenic interference and an invader from outside who would succeed in eradicating the causes of disorder and the diseases which infected the State in order to defend the solidarity of Hellenism This was a current of thought in Socrates and Plato also who

dismayed at the gradual dissolution of political integrity of City States, longed for a strong *government of reason*, and for a world of duty and of thought beyond and transcending the State. The desire for peace and internal reform was so strong in Aristotle that he would not object to Maccedonian conquest and extension of power, provided the surest guarantees of the *Polis* was assured to the Greeks in the preservation of the integrity of the soul of Hellenism. He was for a policy of unity and reorganisation.

To Kautilya, Ethics and Politics were part of historical studies[1] and the mention of *Dharmasāstra* and *Arthasāstra* as sources, indicated the need of moral and material approach in the understanding of history. *Itihāsa, Purāna* and *Arthasāstra* are viewed as three different types of knowledge.[2]

The real contribution of Kautilya to historical thought is his analysis of historical change. Ancient and modern historiographers have given single explanations of historical currents and phenomena; and the principle of divine determinism seemed to haunt, Herodotetus and later on, even Hegel, in the reading and interpretation of human affairs. Economic determinism simplified history to Karl Marx to one formulae of class war, and he and his followers did not take cognisance of natural calamities. Sydney Hook says "the dialectic in history needs to

1. Kautilya Artha sastra 1-5.
2. Kautilya Artha sastra 5-06

be supplemented by a nature—dialectic, for,' the history of man is also a part of the history of *Cosmos*." Tidal ways, earth-quakes, extremes of planetary weather, have their historical effects too, and "a historical process alone cannot guarantee that a cosmic event—an accident from the standpoint of history—may not, put an end to man's career on earth."[1] A hero cannot be regarded as the maker of history, as Carlyle thought, nor can he be simply dismissed as a creature of circumstances, as Buckle imagined, for any single explanation of historical change is bound to be far from truth. "The chain of Historical Causation is too variable and may be too obscure" writes Lewis Einstein "to be reduced to a formula. Men achieve great things usually owing to a combination of some very different elements not all of which need be either audible or visible".[2] H.A.L. Fisher writes in his Preface to "A History of Europe" "Men wiser and more learned than I have discerned in history a plot, a rhythm, a pre-determined pattern. These harmonies are concealed from me. I can see only one emergency following upon another as wave follows upon wave, only one great fact with respect to which since it is unique, there can be no generalisations, only one safe rule for the historian, that he should recognise in the development of human destinies the play of the contingent and the unseen. The ground gained by one generation may be lost by the next. The thoughts

1. Sydney Hook Science and Freedom. P. 02
2. Lewis Finstein Historical change P. 62.

of men may flow into the channels which lead to disaster and barbarism."[1]

It is interesting to examine how Kautilya studied the problem of Causation with reference to a phenomenon like the victory or defeat of *Suāmi* in the field of battle. The one sided approaches of the *Arthasāstrakāras* who were Kautilya's predecessors are first quoted and thus to indicate which of the methods would ensure victory. *Individual strength* is the decisive fact, according to some. Other political thinkers state that it is *time* that counts, which a few other that it is the *territorial* factor that determines the result. There is a tragic element in human affairs, that is the outcome of a certain recalcitrancy in human events and an intractability of human situations, that cannot easily be resolved by scientific analysis. According to Kautilya, *power*, *time* and *place* are inter-dependent and the event is the total product of all these forces acting and re-acting upon one another

Nēti Kautilya paraspara
Sādhaka hi Sakti desa kālah[2]

Kautilya says that a change is either *Daivam* or *Mānusham*, and by *Daivam*, Kautilya does not mean Fate or Divinity but only that which cannot be forseen, and which is beyond man's control, and *Mānusham* is obviously that which man can thoroughly see and control.

1 H A L Fisher A History of Europe, Preface p 1.
2 Kautilya Artha sastra 9 32.

Adandakaritam Daivam
Danda Karitam Mānusham[1],

The interpretation of human life in terms of divine determinism was very common with Sanskrit writers, for theology and metaphysics had an irresistable appeal to the Hindu mind, which always displayed an emotional flow and vibration which largely militated against rigidity and organisation. A metaphysical turn of mind with the power of imagination made search for unity and appeared to be at its best in synthesis, thinking in terms of eternity, and achieving its triumph in broad generalisations, and declarations about human destiny and its problems. Besides, the theory of function embodied in caste rested on a profound belief in heredity ; and metempsychosis was not a mere theological dogma but was a living belief of the Hindus for Ages. While interpretation of human life in terms of the divine was popular with Indian thinkers, a kind of materialist interpretation that the ruler is the maker of history '*Rāja Kālasyā Kāranam*' came to be substituted during the period of Sukra and other *Artha Sāstrakāras* as a sort of Royal determinism in the place of Divine determinism.

A multi causal view that a number of forces work in the making of history, and at least a few of them are beyond man's control seemed to be Kautilya's singular contribution to Indian political thought. Accordingly, Kautilya's reflections on human history

1. Kautilya Artha sastra 5.06.

are strikingly rational and amazingly modern. Kautilya never contested the prerogative of *reason* to be the ultimate criterion of truth, and to him mere obedience to a tradition or to an authority could have no value by itself[1]

Nakshatramiti Prahantam Balamarthoti Vartate
Arthohyarthasya Nakshatram kim Karishayenti Tārakāh.

The knowledge that truth involves, has both a subjective and an objective element, and therefore possesses two criteria; firstly, the perception of truth is possible only for a mind free from prejudice and passion. Secondly, as truth never lies on the surface, it needs pains to dive deep and grasp it. Higher than the knowledge of the truth is its internal appropriation; the practical realisation of the truth through suitable training and development of one's own intellectual and moral powers; and the acquisition of enlightenment by investigation and contemplation coupled simultaneously, with self-control and moral rectitude and compassion for *Janaparda.*

Kautilya was a *Lokāyata* and he did not claim superiority to his *Suāmi*, by virtue of any transcendental pecularity of his nature surpassing everything terrestrial. No hyper-physical superiority belonged to *Swāmi* by virtue of his birth; only by being greater and more strenuous in his efforts, the *Swāmi* traced out the path of fulfilment as a *Chaturānta Mahim.* It is this method of approach to problems of History and

1. Kautilya Artha sastra Bk. IX Ch. 4 VI i.

of State that has made Kautilya unique among the galaxy of ancient Indian political thinkers.

To Pundits and *Dharma Sāstrakāras*, Kautilya is a malevolent counsellor of tyrants; to others, a noble spokesman of liberties, or of emanicipation from foreign domination and internal misrule; to some he appears as a realistic politician; to others as a political philosopher. As Kautilya has been understood differently by different people and in different epochs, one should not easily be induced to interpret the author's meaning by translating the *Arthasāstra* into categories of his own. If one has been led to focus his attention upon the wrong point he can easily convince himself that he has seen what he wanted to see. Accordingly, it is important that the danger of imposing one's own assumptions, conscious or unconscious, upon the philosopher is avoided; and Kautilya ought to be interpreted in the light of his own aims and avowed intentions, of his peculiar genius and his dominating passions, the changes he desired to accomplish in the thought and the political practice of his day, rather than in the light of the historical consequences of his thought and teachings. It is necessary that one should come to 'the *Arthasāstra*' as historians and not as theorists who hanker after a synthesis for "there is no effort by him to transport political theory embedded in speculative realms to a region of practical observation and application."

It is not intended to convey that Kautilya's teaching was merely a collection of concrete maxims,

warnings and injunctions in regard to points of policy or rules of conduct for specified emergencies as war, famine and pestilence, or merely an exposition of tactical moves against neutral or belligerent States. Kautilya made political science more theoretical than before, by attaching to it certain dogmas and observable principles enunciated by the earlier *Arthaśāstrakāras.*

Kautilya, like Aristotle, aimed at the establishment of *Rājadharma* as a permanent science. Kautilya looked upon long experience and native and spontaneous judgment, as essential guides to political action, though conformity to political principles and rules was demanded as a measure of victory. There is a certain rigidity and dogmatism about many of his assertions which warn the princes and the ministers, that the surest way to ruin a state was to violate a certain principle. In Kautilya, one notices very often the commendation of a particular policy or expedient for adoption by the practical statesmen; so too, occasionally, an analysis of a particular historical event, reveals an element conditioning political actions which is recognised as a principle of universal validity capable of application in subsequent cases.

Kautilya thinks of the great past of India and the misery of the country which had been desolated by Alexander's campaigns. The consciousness that India in the second half of the fourth century B.C. had opened the gates to disasters following foreign domination and rules was a great incentive to hirtori-

cal inquiry and political analysis ; and the country seemed to move to enter upon a more intensive self-examination. Both Machiavelli and Kautilya distinguished themselves by claiming that in the study of history, one could discover not only the causes but also the cure of the ills of the time. Kautilya repeatedly in his *Artha Śastra* cites examples of kings of the past whose deeds and misdeeds had to condition the attitude and policy of kings of the future. It is an affirmation of the doctrine of limitation and of historical recurrence, and therefore the necessity to deduce general laws from historical data. This attitude of Kautilya to the history of the past was determined by his conviction of the intrinsic superiority of the ancient world as a guide to human behaviour in the present.

Aristotle and Kautilya believed in the immutable and unchanging human nature, its being dominated by primordial passions, moving individuals at all periods to the same kinds of action and culminating in the same crises and catastrophes. History tends to fall into repeating patterns instead of progressing to an unpredictable and inscrutable future ; and this is inescapable destiny, for men are alike and they tend to imitate one another, which act is a conscious imitation of the best. The success of a certain expediency or policy adopted in the past should determine the present, for historical circumstances are constantly repeated. Principles of statecraft are to be discovered from examples of history which run in cycles repeating similar situations and problems.

According to Kautilya, a State might be raised to a condition of greatness and power by a stroke of fortune or by a mighty act of volition on the part of the king Kautilya was convinced that peoples become degenrated if there was no vigilance by *Pramada* and *Alasya* and if extraordinary energy was not constantly and continuously displayed by the Ruler Thus he had a high opinion of Armed Republics of his time and admired their forms of government which were a harmonious blend of monarchical aristocratic and democratic elements

Kautilya and Aristotle looked upon History as a storehouse of examples rather than as a field of general experience Kautilya in his *Artha sastra* not merely sets out to observe contemporary politics and describe how men actually do conduct affairs but brings to bear his critical political acumen on the contemporary world and perpetually warns the king against *Vyasanas* that surr ound him and directs him how he ought to behave under such circumstances Accordingly, the political maxims of Kautilya are not mere codifications of the practice of the time but principles discovered by intuitive perception of political truths and by a process of verifiable observation and operative not merely in the present but in the future History suggests alternative courses of action and the choice between alternatives is limited Accordingly Kautilya introduces as Machiavelli did later a formulae of elasticity in political action conducive to the correction of whatever inconvenience and defects that might arise from too rigid a pursuit

of either course of action Kautilya has a great insight into the unpredictable elements, chances and aomplexities of history and discovers that political tactics in a fluid world must be flexible

Both Kautilya and Machiavelli have admiration for power and efficiency in man Machiavelli glorified the State and emphasised the right of the State to the loyalty of the individual Man has no right against the State , rather, man reaches his greatest height in subordinating himself to the community , for Machiavelli believed that the State was necessary to the development of mankind Kautilya too glorified the State and regarded the king as morally and legally the foundation and source and the embodiment of all sovereign authority As all other foot prints vanish in the footprints of the elephant, so all *Dharma* disppears in the *Rajadharma* The four important objects of government are to obtain a kingdom, to preserve that which has been acquired, to increase that which has been acquired and to have a proper enjoyment of that which has been acquired To this end, six kinds of policy are advocated, with the result that war and conquest are among the primary duties of the Sovereign who in pursuit of territory and statesmanship may get the formalities aright and ignore the moralities Kautilya gives sanction to all kinds of trickery in order to make men believe that the king was omniscient and that he worked continually in partnership with the Gods The acme of political success was achieved when a king could boast that he was able to bind the princes with

fetters of cleverness and play with them at his pleasure. He says "He who shoots an arrow kills but one at best but he who has clever thoughts kills even the babe within its mother's body." It is clear from this that both, while conscious of a broad philosophic basis for their doctrines, confine themselves entirely to questions of immediate practical concern. The principles of practical policy for given conditions are substantially identical in the minds of the two philosophers. Kautilya like Machiavelli relaxes the rigidity of political canons in accordance with the change of circumstances and the suitability of political conditions. The Ideal of both is a State whose ends are expansion and attainment of widespread dominion. It is not merely the necessity of the existence of the State, but a State pledged to expansion, because human affairs are in constant flux and motion; that is the first principle of their philosophy.

These are the lessons that he learnt from a retrospect of the Past wherein is revealed the passions of history and the essential features of the historical processes. If Machiavelli suffers from what Nietsche designated as the malady of *historitis* burying his head in the past and being merely the channel for classical influence, particularly of Roman ideals and institutions, Kautilya is merely an admirer of the past of his country. He is not in the grip of the dead hand of the past, but looks to it for occasional warning and inspiration. History to him, is a rationalized record of human experiences, and its lessons are valuable as

governed by Chance which if unopposed and unchal enged would direct her attack upon the nonresistant themselves, and a disarmed State which is entirely left to the caprice of fortune and is allowed to adjust itself to every change of the wind, is a willing victim of vitality, of human foresight and of self-assertion

So much was Kautilya distressed at the weakness of the States of his time that he thought it necessary to overhaul the existing system. His School of thought was not merely concerned with systematic theorising about statehood and soceity; he made *Rajadharma*of his country and time an object of immediate concern. Kautilya as a *Srotriya*[1] Brahmin was not to lose himself in vapid speculation about the mysteries of existence· he emphasised again and again, that the State was a life on which depended the social, religious and individual happiness and that the bases of civilisation were rooted in polity and that *Danda* which protected the people was the womb of civilisation. The King is the *Udyata Danda* and in whom all the *Prkritis* or elements of government are concentrated.[2] He is the source of authority as well as the First Citizen—*Tulya vetanosmi Bhavadhibhah Bhogyam idam Rajyam*

So, the foundation of policy is the education of the *Suami* who cannot be an autocrat with likes and dislikes, but one who has to identify himself completely with the promotion of the prosperity and

1. Canakya iti vikhyatah srotriyah sarvadharamavit
2. Raja Rajamiti prakritisamkshephah

happiness of the State.[1] Kautilya makes a great advance over his predecessors in elaborating the distinctions between *Dharmasthīya* (protective measures of law,) and penal law, *Kantakasodhana*. The *Swami* was not merely to ensure obedience to existing law, but had to take the initiative in enacting or promoting new laws "*Dharmapravartakah*." Kautilya discovered that the exigencies of politics required the impartial objectivity of *Dharma* being saturated with equally legal expediencies of policy and *Artha* The *Swami* was the foundation of society, and it was his *Dharma* to provide for the very basic foundations of civilised existence even in conquered countries, and to make good life possible. As he is the background of *Dharma*, his education is self-discipline. From hearing ensues knowledge, thence steady application, *tyāga*. then, self-possession *Ātmavatta*. Thus, knowledge is not regarded as an end in itself, but only as a means of self-realisation.

Though the *Swami* was to be instructed in philosophy (*Anvikshiki*) in *Trayi*, (*Veda*) in *Vārta* (Economics) and in politics (*Dandaniti*), the main purpose of his education was the control of the organs of sense Absence of discrepancy (*a-Vipratipattih*) in the preception of sound, touch, colour and flavour, by means of the ear, the eyes, the tongue and the nose is what is meant by restraint of the organs of sense (*Indriyajayah*); strict observance of the precepts of the sciences (*Sāstrāmushtānamca*) also means the same; for the sole aim

1. Prajahitē Hitem Rājnah—prajānamtu priyam hitam.

of all the sciences is nothing but the restraint of the organs of sense *Kritsnam hi sāstram idam Indriyajayah*. Who ever is of reverse character, and who has not his organs of sense under control will soon perish, although he possesses the whole earth bound by the four quarters. The goal of education is *ātmvatta*, and the prince is therefore enjoined to abandon lust (*Kāma*) anger (*Krodha*) greed (*Lobha*) vanity (*mana*) haughtiness (*Mada*) overjoy (*Harsa*).

Kautilya treats of Politics as an independent science, and it is clearly demarcated from all other branches of Social Science. His observations on deeper problems of political theory are original, but he is at his best in systematisation and clarification. *Moderation* to him as to Aristotle is the safest rule of statesmanship, for severity is oppression, and leniency is weakness. The one provokes disaffection, and the other invites contempt.

The state must maintain Order, for it is based on justice and social helpfulness, for on order depends the progress of the world. He proclaimed the sovereign importance of discipline. If the operation of the law was suspended, society would relapse into anarchy. Therefore, all social and economic institutions, the family the *Sreni*, the village and caste organisations were called upon to aid the State in its supreme task. As the State had outgrown the theocratic elements and had established itself on a secular basis, the energies of widows, orphans, ascetics *Parivrajākās*, Buddhist

monks and others who prnssed into the system of espionage in order to preserve the safety and integrity of the Empire.

CHAPTER IV

KAUTILYA'S STATE IS 'PLURALISTICALLY DETERMINED MONISM'

The ancient Indian State was an aggregate of several societies, embodying different principles of association, loosely knit together by the military principle and the principle of *Dharma*. There were Guilds and Corporations, and these were the primary groups, primary, in the sense that they were fundamental in forming the social nature and ideals of the individual, in giving him notions of elementary justice, and social ideals and obligations, and laying the basis for all later expansion of social contacts and responsibilities. The Guild was a society to the extent it embraced the whole range of human relationships. It was a community in the sense that manners, traditions and modes of speech, the signs and consequences of an effective common life were realised in it. It was also an association organised for the pursuit of some common interest or interests. Viscount Bryce says, "In primitive societies the forces other than fear have been extremely powerful; the reverence for ancient lineage; the instinctive deference to any person of marked gifts, with a disposition to deem these gifts supernatural, and the associating tendency, which unites the members of a group or tribe so closely together that the practice of joint action supersedes individual choice".

The Guild was a determinate social unity built upon common purposes The Guild organisation was built on sound qualities of human nature It assumed that normal life is rest not motion, quiet not tumult, acceptance of what arrives at one s door rather than the seeking of what is not there, and a dislike to govern or being governed by others The normal man by instinct is a craftsman, who likes his work and to whom the deep traditions of the world teach what is worth doing and what is not worth it There is an instinctive delicacy in the common mind which holds it back from the wish to coerce one s neighbours whether it be for good or for evil Further more it is an inevitable quality of human nature that it cannot undergo sudden changes A system which *demands many sudden changes is ruled out not necessarily* because, it is illogical in itself, but simply because man is not capable of violent breaks in his traditions. The system accordingly, was concerned with root principles of human existence viz to look upon the normal man as a producer in particular, and a citizen in general to make him the centre of society and to devise a *Social machinery* which would be good only if it suited the ultimate purposes of life

The Guild was the organization on the basis of function or trade and it was considered that all other social bonds were most clearly subordinate to the *vastly superior organization of mankind by profession* and trade The system implied that *function* was the central fact in the life of the citizen and that his relations with his fellowmen should be largely deter

mined by it It organized the people in the order of trades whereby the work of the community could be done by those who best knew how to do it Therefore when once the Guild was constituted its affairs had to be controlled in the main by the Guild members Deep down the Guild idea was the conviction that there was something inherently vicious in all compulsory government and that self control was the key of many of the problems of the community It was not to be the function of Government to interfere as a legislator in men s private affairs which they felt they were quite capable of managing themselves The system was a reaction against any tendency for centralization either of the political or economic organization and was to represent the *moral force* which had banished the crudity of physical force from civilization and the persistent continuity of the human tradition of democratic organization as distinguished from central government The acceptance of central control was an act of voluntary submission and thus the difference between government by coercion and government by voluntary agreement was made clear

Sreni Kula Puga Gana and *Samgha* are some of the terms employed by Kautilya to indicate the guilds representing the different aspects of Hindu social life A number of corporations for definite economic purposes had arisen with the advance in specialisation of crafts and with the manifestation of the associative spirit in territorial and communal groups The differentiation of occupations brought about by specialisation of crafts and the consequent complex

developments in society made it, difficult for political writers of the time to determine the exact scope and meaning of the various terms, that were traditionally employed to indicate popular local associations Kautilya uses the term *Kula* in the usual sense of family, and enjoins the soothsayers and court bards to describe heaven as the goal of the brave and hell of the timid, and to extol caste, corporations, family, deeds and character of the king's men (*Jāti-samgha-kula karmavrttāstavam*). He thereby indicates that the Guild like the family and the caste was the primordial unit of social organization.[1] Again, in pointing out the importance of sovereignty, Kautilya interprets *Kula* as a council of regency or an oligarchy of princes whose rule was to be preferred to that of an incompetent and only son of the ruler.[2] While *Gana* is interpreted by *Kullūka* as a fraternity of *Brahmanas* inhabiting a monastary, as a fellowship by *Nārada*, as a political self-governing corporation by *Vyāsa* Kautilya understands the term *Gana* to be a composite confederation

1. Artha Sastra R. Shama Sastry, 2nd Edn. 1923 Book x, ch. 3 p. 427 Ed. with Com T Ganapathi Sastri, in 3 Vols III pp 117, 132 Unless otherwise specified all references are to The Arthasastra, and by Book and Chapter.

2. Book 1, Ch 17
 'Kulasya vā bhavēdrājyam kulasamgho hi durjayah, (Kautilya)
 Kulasya bahuputrasamghasya bhavēt,
 Kulatmako rajyanēta Samghah
 Ganapati Sastri Commentary Vol.1 p. 89

of all other associations [1] *Samgha* and *Gana* are used in the sense of an autonomous kingless clan or as a political corporation [2] *Puga* is an association of various castes who having no occupation unite in the pursuit of wealth and pleasure as their main aim It is a confused medly of individuals or is an occupationless gathering [3] Assemblies possessed of military force and function are referred to by Kautilya as *Ayudhajivisamghah*[4] and the leader of the assembly as *Ganamukhya* The term *Sreni* is applied to corporations that subsist by agriculture trade and military service such as *Kambhojas Saurashtras* and *Kastriyas* [5] *Sreni* is a corporate body of troops as distinguished from *Maula* and *Bhrtya* hired troops [6] *Sreni* was a source of recruitment for the army and the army thus formed was called *Srenibalam* and its commander *Srenimukhya* [7] The enlistment of corporations of soldiers was to take place when the enemy was desirous of carrying on a

1 II 6 Karusilpignah
2 XI 2
3 I 12 Vol P 63 (C S)
Nanajatiya *arthakamapradhanah samghah pugah*
Karmakaravrndesu nanajatiyajanasamghesu—pugah
4 Vol 1 p 22 (G S) XI 1
Sastropajivinam rajavidheyanan samuhah—*Samghah*
5 XI 1
6 II 33
7 IX 2 VIII 4
Sreni Ayudhiya karsakanamanyonyasamgatanam
Samgha —Vol III p 27 (G S)
Srenibalam Janapadayudhiyaganarupam balam
Vol III p 51

treacherous fight with his army recruited from the *Sreni* of his own territory.[1] Confronted with the question : Which is better-the land with scattered people or with corporations of people ?—Kautilya says the former is better in as much as it can be kept under control, and is not susceptible to the intrigues of enemies, while the latter is intolerant of calamities and is susceptible to anger and other passions.[2] Kautilya believed in the strength of personality and considered that the troubles of a corporation could easily be put down by arresting its leader (*Srenimukhya*). But, the leader would become invincible if he was backed by the Sreni. (*Sreni-Mukhyānga-Bhūta Purusa*)[3] *Sreni* was known for military strength, and Kautilya cites the opinion of the previous *Acāryas*, that on account of its numerical strength (*Bāhulyāt*). *Sreni* is more difficult to be subdued than individual recalcitrant chiefs.[4] It is not clear, whether this military strength belonged to independent Republican communities or local assemblies whose main function was to protect themselves and to secure their own safety against common danger. Kautilya's use of *Sreni* is not merely confined to corporations of soldiers. While discussing the planning of a town, he mentions that the *Sreni* of artisans manufacturing worsted threads, cotton threads, bamboo mats, skins, armours, weapons and gloves shall have their dwel-

1. IX 2.
2. VII II. Vol. II p. 309 (G S)
3. VIII. 4 Vol. III p 27 (G S)
4. VIII. 4

lings to the west of the town From this, it is clear that *Sreni* is also used in the case of corporations of artisans To manu, *Sreni* is an association of traders or artisans money lenders, or of men proficient in the four sciences of learning[1] *Narada* and *Brhaspati* speak of these guilds as having an as sembly, a president and important rules and regulations for apprenticeship[2]

The law books mention various types of Guilds showing how the principle of co operation had an extensive application in the ecnomic life of ancient India There were guilds of traders agriculturists, artisans, and even of priests soldiers and there is evidence of co operation in all spheres of life, economic military, artistic and religious[3] *Brhaspati* speaks of guilds of painters dancers religious orders dyers and even of robbers[4] *Gautama* speaks broadly of guilds of cultivators, herdsmen, traders money-lenders and artisans having liberty to lay down their own laws to be respected by the King,[5] and prescribes the legal procedure that was to be observed by the Guilds Nobility, practical ability, diligence and industry were some of the general qualifications

1 Manu VIII, 41 Medātithi s Commentary
2 Nardha X 3 Brahaspati XVII 11 19
3 11 4 p 52 Vol I p 129 (G S)
Vastu Srenipravahanikanikaya avaseyuh'
Sreni—rajaka—tantuvāya etc
4 Brhaspati I 26
5 Gautama XI 2 20 22

required for membership The work of the village whether it was the renovating of a tank, the construction of a reservoir or the laying of a road, had to be done collectively by the people who were all to be working partners in the enterprise, and whosoever stayed away from any kind of co operative construction, for example a bridge (*Sambhuya Setubandhāt*) had to contribute a share to the general expenditure of the project The contribution to the common stock was in cash or kind, according to the nature of the Guild[1] The government was to respect the necessary rules laid down by the Guild for their collective welfare and all political writers enjoin that the king should maintain the customs and the laws of the castes of districts of guilds and families and to establish as law the practice of the virtuous if that was not inconsistent with the customs of the country familes and castes[2] According to Kautilya the Superintendent of Accounts had to enter into his book, the history of customs profession and transactions of countries villages families and corporations[3] Kautilya says 'No company other than the one of local birth *Sajatadanyassamghah* and no guilds of any kind other than local co operative guilds *Samutthayaka danyassamaya nubandhah* shall find entrance into the villages of the kingdom[4]

1 II Ch7
2 Vasistha XIX 7 Manu VIII 41 49
3 II 7
4 II 1 Vol 1 p 114 (G S) Samutthayakah Sambhuya setubandhādirajaprajānu kulakarmakārinah tesam sambandhi samutthāyakah

This reference to the autonomy of the castes and guilds as it existed in the past has led many writers on Indian polity to attribute an independent political status to local groups and associations and to talk of Hindu society as essentially pluralistic.[1] A certain section maintains that groups and guilds in ancient India were independent corporate personalities having their own laws, rights and privileges with a closer community of interests and deeper loyalty among their members than what is generally found in a state; that sovereign power was not really omnipotent and concentralised ; but divided and distributed over a number of associations and groups which were more competent to decide matters than any State. Ancient India had something of a federal society composed of different social groups and economic organizations exercising a considerable measure of control over the members outside. The *Samayasāsana* applied even to members who temporarily lived outside their State.

Kautilya does not imply in his *Artha Sāstra* that groups and associations, should be independent or co-ordinate with the State. He does not think of the State, as the pluralists suggest, as an 'Association of Associations' called upon to adjust and reconcile and synthesise conflicting points of view. The State is not one of the many groups ceaselessly striving for progressive expansion and co-operating with social and economic groups in the fulfilment of a common

1. Radhakumud Mukerji , Local Self Government in Ancient India p. 124

destiny. Neither group life nor statehood is a limitation on the sphere of jurisdiction of either, and the nature of relationship between groups and the State is reciprocity. The State and Associations were never apart, and the view of Dr. Radhakumud Mookerji that a policy of non interference was recognised as the ideal policy of the State, where functions were ordinarily restricted to an irreducible minimum, as for example, to the Protection of life and property and the realisation of revenue, is wholly untenable,[1] for, to the associations, the State was not a mere Policeman but a Doctor and a Social Reformer, playing the role of Conscience and Providence, touching the rectitude of each man's life, the truth of his dealing with his own conscience, and the whole substance of character and conduct, and of righteousness both of act and of mental habit. The groups never distrusted nor regretted State interference and never attempted to delimit the sphere of the State, on the other hand, the groups desired that the authority of the State should be exercised over the whole of the social and economic life of the community.

The sphere of State activity in the time of Kautilya was not restricted merely to the maintenance of the conditions necessary to the existence of Society. Besides, *protective* duties, the system of government embraced many duties which may be termed *promotive* duties. The superintendence of instruction of princes

1. Radhakumud Mookerji Local Self Government in Ancient India. p.3 Bandhopadhyaya, Kautilya, p. 59.

and of the nobles, together with comprehensive and positive regulations for the advancement of commerce trade and agriculture and other aspects of material welfare, as well as of the most important interests of culture were duties of equal weight with the duty of protection of persons and property insured by the king's legislation

According to the ancient Aryan, the World is not a fortuitous aggregation of atoms, everything that there is has been wrought into being by some neces sary purpose, viz the realisation of *Dharma* and the emancipation of man Society was looked upon as an eternal organisation founded and held together by *Dharma* The maintenance of the social order and the promotion of *Dharma* were eternally ordained and were imbedded in the constitution of Society The *raison d etre* of the State was *Dharma* and every person had to strive to fulfil his obligation to maintain the social order The condition of *Arājata*, Statelessness, induced such a horror in the mind that in order to escape from that condition, the individual bestowed great authority on the King, and cultivated the duty of obedience to constituted and lawful authorities, and practised *Dharma* in all spheres of life *Dharma* appears with the disappearance of *Matsyanyaya* and is created by *Danda* and it ceases to exist with the extinction of the State There is no *Dharma* if there is no State and the State becomes 'a moral laboratory of *Danda* through which primitive licence and beastly freedom are restrained' and new avenues for a fuller and higher life are opened Man has to submit to *Danda* to sanction,

coercion and punishment if he is not to grovel in a State of Nature The chief duty of the king is the preservation of the Social Order and Law is the command of the king enforced by sanction which had to be obeyed not because it is just good or eternal but because it has been enacted by the State That which is determined by command should be obligatory as the word of command and the purpose to which it is directed are eternally efficacious [1]

The king exercises his authority to enforce the social order and the customs and traditions regulat ve of family and Guild life Kautilya accepts *Dharma* as equivalent to the dictates of a moral sense or the observation of an established usage, and he insists that the exigencies of *Rastra* demand *Dharma* as being understood as a deliberate order issued by an authori ty with that of punishment *Danda* is the principle of Omnipotence and is the protector of all beings and of the social order and *Danda* as Sarker says in the form of *Rajasarana* is the root of a tree which flowers in *Dharma* [2] The State by its acceptance to maintain its obligations imparts a legal sanction to the customs and traditions of Guilds and corporations and thus invests Law with a positive sanction

Law as the authoritative pronouncement of the Sovereign is based on the prevailing notions of right and wrong Whenever a community in its collective

1 K L Sarkar Lectures I Political Institution pp 23 24
2 Ibid p 24

capacity undertakes to apply pressure by fixing penalty for violation of social standards customs cease to be social and become the Law of the land Throughout entire history of the State Laws have developed in the this manner from customs Custom with its slow tread will render obsolete laws that have become anachronistic and will create new principles that will force their recognition upon the King his ministers and the courts Custom represented the conservative element and the king s enactment *Rajasasana* the radical and the king s law was directed only in part towards the protection of the existing conditions of life, and its aim in equal measure was the improvement of these conditions For social life like all life was change and development, and law would be neglecting one of its most important functions if it refused to meet the demands of this ceaseless evolution Provision therefore had to be made for the alteration of existing law to suit new needs The task of the King however was largely limited to the statutory confirmation of principles that common usage had already established rather than invention of laws according to individual caprice or judgment He could not invent law but could only write it, and in this matter his functions were unlimited and there was no assignable limit so far he aspired to be benevolent and helpful to the people intellectually, economically and socially There are many instances in the life of the guilds and corporations being determined and enforced by an ultimate sovereign authority as that of the king who represented the

authoritative organ with full legal powers, to limit the respective jurisdictions of Guilds, to enforce the laws and punish violations of law and dereliction of duty.

The King, according to Manu, is mentioned as fixing the law which lays upon the subjects and officers, the obligation of obeying whatever *Dharma*, the king imposed by proclamation.[1] The king's commands were directed to the officers, and such commands were indispensable for the proper carrying out of the administration of the country. The king had the authority to give general commands apart from administrative rules.[2] While *Yajnavalkya* gives to king made laws an authority secondary to *'Nyas-Dharma'*, the law of the *Sastra*, Kautilya makes an innovation in legal theory when he speaks of law or the royal commands as enforced by sanction, and regards the State as the final authority to pronounce what is Law and what is not Law, between individuals, groups and corporations. The sovereign could not only adjudicate in disputes and inflict punishment, but also modify and develop customary Law. Kautilya says: "Sacred law, evidence, history and edicts of kings are the four legs of law; of these four in order, the latter is superior to the one previously named. *Dharma* is eternal truth holding its sway over the whole world; *Vyavahāra* (evidence) is in witnesses; *Cāritra* (history) is to be found in the traditions, (*Samgraha*) of the

1. Manu, VII. 13.
2. Yajnavalkya, II, 180

people; and the command of kings is what is called *'Sāsana'*[1] The numerous royal edicts had the force of Law, and these Laws comprehended a wide range of directives for the regulation of prices, wages and profits and for the preservation of king's powers and prerogatives.

It is manifest in Kautilya's legal theory that the king could legislate and exercise authority to direct and regulate the life and conduct of guilds, corporations and other associations. Kautilya says 'Whenever there is disagreement between history and sacred law or between evidence and sacred law, then, the matter shall be settled in accordance with the sacred law. but whenever sacred law (*Sāstra*) is in conflict with rational law (*Dharmanyāya*) then *reason* shall be held authoritative, for there the original text on which the sacred law has been based is not available."[2] Kautilya seems to imply here, that vague customary rules and traditional regulations do not become Law, until they receive the *imprimature* of the sovereign whose business it is to formulate customs and rules and prevailing ideas in a precise, uniform and authoritative manner.

The king demanded conformity on the part of the Associations to the rules and regulations devised to keep

1. III. 1. *Dharmasca vyavaharasca caritram rājasasanam 'Vivādarthah catuspādah pascimah Pūrvatadhakah II.'*
2. III 1 *Sāstram vipratipadyēta Dharmanyāyēna kenacit* Nyāyastatra pramānam syāt tatra pathō hi nasyati.

the integrity of the State. There were agricultural guilds and craft guilds which were localized in special quarters of the cities, and they were distributed according to a definite plan. Similarly, there was the artificial creation of villages of agriculturists belonging to the *Sudra* caste, and of *Brāhman* villages with forests for their undisturbed pursuit of learning. Merchant guilds did not attain the same development as the craft guilds, as the merchant was a wanderer, while the craftsman was a member of an industrial organisation localised in the cities. Still, both were bound by law to observe all the regulations of the State that governed their work and relationships.

The employers were required to pay guilds of workmen (*Samghabhrtah*) wages for work done but not for work that was not done though stipulated before; Guilds of workmen employed by Companies as well as those who carried on any co-operative work were required to divide their wages (*Vetanam*) among themselves either equally or as agreed upon[1] Desertion after the work had commenced was punished,[2] for none could of his own accord leave his company. Kautilya says mercy (*Abhayam*) for neglect of work is to be shown for the first time and promise of proportional share of earnings for quantity of work done, is to be made and implemented. But continued neglect and violation of the law of the company should be punished by expulsion (*Pravāsanam*) and

1. II. I, 4.
2. III. 14.

glaring offences (*Mahaparādha*) by death. Priestly guilds too, co-operating in performance of sacrifices shall divide their earnings either equally or as agreed upon.[1]

There was to be a special Department of the central government consisting of ministers and commissioners (*Pradēshtarah*) to protect the interests of artisans (*Kārukarakshanā*) in relation to their guilds which entrusted them with deposits. The rule was also laid down, that guilds (*Sreni*), might get back their deposits in times of distress.[2] Guilds of artisans had to fulfil their engagements, in accordance with their agreement as to time, place and form of work; action contrary to orders led to forfeiture of wages and imposition of fines by the government.[3] The same rules were to apply to guilds of weavers, workmen, scavengers, musicians and medical practitioners, and merchants; for, the integrity and solidarity of the State depended on the maintenance of *compacts* or fundamental agreements formed among themselves and on the meeting out of exemplary punishment for violation of compacts which were always regarded as sacred and inviolable. *Manu* prescribes exile as punishment for violation of sworn agreement, while *Brhaspati* inflicts the highest amercement or fine on those guilds which defrauded the State of its dues.[4] The security of the State dema-

1. III. 14. p. 186.
2. IV. 1. Manu IX 253.
3. IV. 1. pp. 201-207.
4. Brahaspati XVII, 5. 7. Narada X 5, 6.

nded strict invigilation on the part of officers over profiteering and over the resolutions of guilds of an immoral or absurd character likely to cause disaffection among the people.

Kautilya says that the Superintendent of Commerce shall fix a profit of five per cent over the fixed price of local commodities and ten per cent on foreign produce and that the violation of the rule shall be punished with a heavy fine.[1] There seems to have been a suitable administrative machinery for the systematic and regular exercise of control over the affairs of the village. There was a regular procedure laid down to carry the king's decrees to the remote villages, and for the supervision by the Central government of the proper discharge of the duties by the village as regards the gifts, sales and mortgages of land and other properties.[2]

A well organised hierarchy of officers, such as Superintendents and accountants (*Gopas Sthānikas* and *Anībastha*) were endowed with lands which they could not alienate, and these supervised the working of the rural administrative machinery under the control of the self-governing bodies of the villages. There was an elaborate land survey, and the taxable capacity of the village was accurately ascertained by the officers of the Central government. Jolly points out that the chief purpose of legal agreements between Guilds

1. IV. 1 p 206.
2. IV. 2.

and Associations and Central government, was to bring corporations, particularly the religious ones, under a very great measure of State control and protection.[1]

Life rested on vital modes of association and the group as an intermediate body between the State and the individual was the most charactistic feature of the ancient Polity. There was the promotion of free, spontaneous life of the various social-groups that constituted the State which was supreme in the sphere of Law. The king by his sovereign prerogative of choice gave validity and confirmation to all existing codes, usages and interests Kautilya says, "the king who administers justice in accordance with sacred law (*Dharma*) evidence (*Vyavahāra*), History (*Saṃsthā*) enacted law (*Rājasāsana*) will be able to conquer the whole world bound by the four quarters." (*Caturāntam Mahīm*)[2] It is manifest by this statement that Kautilya did not mean that the king should remain a mere external mechanism, but should actively enter into a living and organic relationship with *Samghas, Srenis* and other corporations and associations, for it was power and power (*Danda*) alone, which really when exercised by the king with impartiality and in proportion to guilt would sustain both this world and the next.

In the light of this principle of Kautilya, it is difficult to accept the statement of Beni Prasad that

1. Jolly, Hindu Law and Customs p , 294.
2. III, 1.

the *mo ust c* theory of sovereignty as applied to the State or Government fails completely and that only a *pluralistic* theory can grasp the Indian phenomenon The true nature and significance of the Hindu State can be explained more satisfactorily by the *Monistic* approach[1] for Indian theory favours neither anarchy nor the unqualified pluralism of discrete and isolated groups as it regards the State as the principle of integration and synthesis The concept of the Hindu State is *qualified monism* which recognises the diversity of various groups and describes the State as a single source of authority that is theoretically comprehensive and unlimited in its exercise of power

This characterisation is true of all States of classical antiquity In tracing the evolution of organi sed society Ward following Gum Plowicz and Patzen notices the steps in their natural order subjugation of one race by another origin of caste, gradual mitiga tion of the condition leaving a state of great individual social and political inequality, substitution for purely military sabjection of a form of law and origin of the idea of legal right, origin of the State under which all classes have both rights and duties, cementing of the mass of heterogeneous elements into a more or less homogeneous people, the formation of a Nation In the dawn of history a few great per- sonalities form the nucleus of political organisation They are at first *priests* rather than *statesman* The

1 Beni Prasad The theory of Government in Ancient India p 9

fixed rules which collectively represent the *jural* idea of society at its then stage of development.

Force, thus, has been the cardinal factor of integration in all Western and Eastern societies. Though there is emphasis in Hindu society on *Danda*, Hindu thinkers have gone further than western thinkers by linking the concept '*force*' to that of *Dharma* and by declaring that divorced from that 'universal' and divine scheme, *Danda* has neither meaning nor purpose. In the Indian conception of Polity, there is no room for the possibility of a tyranny of force compelling unquestioned obedience to the State. Responsibility for order and security rested both on King and Society, because *Dharma* fostered the ideal of plural allegiances and duties to one's order, status, group, personality and the State ; and the *imperatives* of society were always open to question if they, went against the canons of *Dharma*.

The Hindu social ideal was founded on a *functional* division which protected industry and trade from the distractions of administration. It was a comprehensive social plan which united regulation and freedom, functional division and group autonomy, loyalty to the State and to social groups with loyalty to *Dharma* and eternal *norms* of conduct. The State was the sole guarantee of the moral order with its sphere co-extensive with the whole of society consisting of Associations authorized to follow their *Svadharma* unhampered and uninterfered with, so long they did

not make an invasion of the *Dharma* of other individuals and groups.

Kingship represented the principle of unity, transcending multiplicity and was the operative criticism of all the institutions that constituted Hindu Society. The King respected the laws of the Associations; he had also to see that the members thereof, observed their own laws, violations of which he was bound to punish; he had to gather up and synthesize every interest within himself. The king was the embodiment of the principle of *Dharma* of the community, of social solidarity, and of the principle of Unity. From the plentitude of his authority, power flowed to the various groups and associations within the State, and therefore, he was the chief and inevitable channel of expression of the unitary social order that was *Rāshtra*.

A study of Kautilya's *Arthaśāstra* thus impresses on one the inescapable conclusion that Hindu Polity was neither pluralistic nor monistic, but *pluralistically determined monism.*

CHAPTER V

FUNDAMENTAL AIMS

Dandaniti according to Kautilya concerned itself with four things: Acquisition of what has not been acquired, *Alabda Labhārthah*, preservation of what has been acquired, *Labdh Parirakshanā*, augmentation of what has been so preserved *Rakshita Vivardhani*, distribution among the deserved what has been so augmented, *Vriddhasya Tirtheshu Pratipādani Dandaniti* was to concern itself with that *Artha* which is the second constituent of *Trivarga Dharma Artha* and *Kāma*, and employed for the attainment of *sampat* by people of all classes through which there was to be the fulfilment of *Dharma*. The two constituents of *Dandaniti* and their realisation, was familiar knowledge before the time of Kautilya, and the importance of *Rakshitavivardhini and vridhasya Tirtheshu pratipādani* as consitituents of vital politics were an unknown phenomenon which Kautilya discovered and investigated their possibilities in his *Artha Sastra*[1]. According to Kautilya '*Rakshita Vivardhini*' is exploitation of natural resources and the development of the national income of the country.

A brief note about Kautilya's conception of the State is necessary for an elucidation of this point.

1. Dr. Bhandarkar: Some Aspects of Ancient Hindu Polity, p, 17.

Kautilya speaks of seven elements of sovereignty which is the primary substance of the State. *Rājya* is not a kingdom, because kingdom means the dominion of a king, and the separateness of the king from the dominion is unthinkable *Swāmi, Amātya, Janapada, Durga, Kosa Bala* and *Mitra* are integral parts of the body-politic which lose their significance if treated in isolation from each other. They are the *organic* parts of the structure of the State and therefore inalienable. Kautilya does not explain the origin of the State.[1] Probably because like Aristotle, he takes the State *to be a natural institution and that it had existed* from the very dawn of human history existing in itself and as determined by the very nature of things But the term Natural[2] does not mean that the State is evolved or of natural growth, but is a spontaneous emanation of the King who is the cause of the prosperity of the world[3]

Kautilya repudiates the theological background of the origin of kingship and discovers, though he does not enunciate the doctrine of *Purushakāra*, that the future of society is not in the lap of the Gods, but is amenable to human control, and that the king by *Udyama* could control human destiny and turn out to be the Maker of the Age Kautilya was not a believer in fate[4] *Nakshatrameti prachantam Balamarthotivartate*

1. Calcutta Review. November 1925 p 289
2. Artha Sastra, Book 1 Ch 4
3. Artha Sastra, Chapter 1 4
4. Rhys Davids: Buddhist India, 206

Arthohyarthasya Nakshatram kim karishyanti Tārakāh.[1] Though theological hues appear, they do not overwhelm the positive and secular background of Kautilyan politics. It is significant that Aristotle too, conceives of politics as an Architectonic Science, for, it was difficult for him to completely separate the sphere of politics and ethics in all social sciences, as standards and norms were bound to come in secular life, not as the antithesis of the religious, but as an admixture of socio ethical and religious ideas. Kautilya like Aristotle, emphasised the positive aspect of politics and repudiated any suggestion of *preordination*, and nourished his faith in *reason* and *experience*.

Man's work is the cause of his good or bad luck, and accordingly, Kautilya lays stress on the *human* element of the State. The State, afterall consists of the people and the State without an articulated population is 'as useless as a barren cow.' He regards the State primarily as an association of human groups and created for the preservation of life and property and to secure opportunities for social progress. There is devotion to the material welfare of the country and of its subjects, but there is no sacrifice of the moral and ethical principles vital for the preservation of institutions of property, and of social distinctions. To the Greek, the State was a frozen ideal, which assisted not only the solution of man's ethical problems, but also helped him to realize his

1. Artha Sastra Book IX Ch. 4, VI. 1.

highest goal. The individual and the State stood in the closest relationships to each other, and the family and the social and religious life of the Greek, and his self-realisation were determined by the State. But, the Hindu, thought of the past, present and the future ; and his existence in the State was ultimately connected with something *transcendental*, and therefore, his scope of action was unlimited, extending from the solidarity of the narrow social unit of the city-state to humanity.

Kautilya advocated the predominance of *reason* and ascribed the origin of all things to Reality and not to God; and there is a distinct leaning towards the secular side of life ; and his philosophy might be described as pure *Rationalistic Legalism* ; *legalism* because Kautilya does not allow extraneous considerations to come in, and *rationalistic* because in the conflict of reason with authoritative canonical laws, the latter are to be superseded. Reason is extolled over sacred authority thus confirming the supremacy of the secular over the theological.

Saptanga

The essentials of a State are territory, population, unity and organisation. Sovereignty is immanent in the unity and organisation of the State. Unity is the constitution of territory and population forming a political unit, and unless the community forms one coherent whole, politically both in its internal and external relations, there can be no State. Organisation presupposes the distinction between the governors

and the governed and the establishment of settled relations of control and obedience either given by mutual consent or exacted through compulsion. Territory and population are coverd by *Janapada* and unity by *Swami*.

Janapada should be free from miry and rocky and saline tracts; should be hostile to the foe, *Satrudvēshi*, or should be inhabited by hardworking peasants, *Karmasīla Karshakah*, and contain men who are pure hearted and devoted; *Bhakta Suchi Manushya* Territory galvanised into life was *Janapada*, Kautilya's regard for the forests and hills seems to indicate that he would not unduly interfere with the spontaneous arrangements of the organic or inorganic world; on the other hand he seems to bring about the restoration of *harmonies* that had been disturbed, and incidentally to illustrate the doctrine that man is in both kind and degree, a power of higher order than any of the other forms of animated life, which were nourished by mother nature.

But the main motive to human effort is the desire for subsistence, which if removed by nature would allow people to sink into indolence and sensuality. Kautilya was aware that there was the threat to the integrity of the State, in the apathy *Pramāda and Ālasya* of the people who would not develop the hidden resources of their nature. Industry should ennoble labour without which human life would be brutally disregarded. *Janapada* was population, dynamic in its organisation and activising the territory. It denoted

individuals who rendered obedience as distinguished from *Swāmi*, *Amātya*, and the administrators who were invested with authority.

The enumeration of *prakrtis* by Kautilya not merely presupposes the distinction between governors and the governed, but also the method by which authority was exercised over the latter. The enforcement of the State's will was indicated by *Durga*, *Kosā*, *Danda* and *Bala*.

The *Mantriparishad* is next to *Swami* in priority of importance among the elements of sovereignty. The *Swāmi* must regard that among the three elements of power, '*Prabhusakti* reinforced by army and treasury is vastly superior to *Utsāhasakti* and that power becomes formidable and even irresistible when it is associated with *Mantrasakti*, for, wise counsels make for a benign monarchy which is rendered popular by an efficient enactment, interpretation and administration of law, and by a well coordinated and hierarchical system of government.

Without the Council of Ministers, the *swami* even though he has made himself strong by an efficient army and treasury becomes weak. The ministers are like the two eyes of the *swami* and every action of the king must have been predetermined by *discussion* and *deliberation* among the ministers.[1] The Council was known as *parishad* which consisted of two parts,

1. Mantrapūrvah Sarvarambah
Amātyamulatvat Sarvārambah,

something similar to the *presidium* and *politburo* in the government of Russia. The more numerous part consisted of *Dauvārika, Antarvamsika, Praśasta, Samāharta, Pradestārah* and so on. The inner cabinet which had to decide policy and action consisted of the chief minister, *purohit*, the commander-in-chief and the *Yuvaraja*. Discussion, deliberation and issue of command or ordinances were the primary functions of the *inner* body, while the administration and efficient discharge of what was decided as ordinances with promptitude and vigour belonged to the *outer* cabinet.

Kautilya lays down an exacting standard for ministers. The minsiter was to be a *Drdachitta, Sīlavān, Sampriya, Prāgna, Daskhā* and *Vāngmi* While *Brhaspati* and *Sukra* assign eight to twenty three members to the cabinet, Kautilya states that the members of the inner cabinet should not exceed four, but he fixes no limits as to the number of the outer body; and this number may vary according to the exigencies of politics : *Yathāsāmhartyām*. One significant fact about the Council is that it can have representatives also from Guilds and corporations, like the Mayor and *Ganamukhyā* and *Sanghādyakshā*

It was a cardinal political axiom that in the determination of policy, in the study and investigation of complicated issues of State and contingent phenomena and consequence, the opinion of the majority of ministers should prevail and that *Rājasāsana* should be merely a crystallisation or confirmation or a written statement of opinion enacted in the *Mantriparishad*.

Kautilya respects not only *Dharma* but also *Vyavahara* and *Ācāra* as the foundation of law; and he enjoins the *Suāmi* to appoint an expert *Lēkhaka* to write down the different forms of *Sāsana* related to different departments of State as *Āgnālekha*, *Upagrahalekha*, *Parihāralekha*, *Pravrittilekha*, *Pratilekha* and *Sarvatragalekha*

CHAPTER VI

"THE PRINCE" IN THE POLITICAL SYSTEM OF MACHIAVELLI AND KAUTILYA

Machiavelli "The Prince"

A comparison is often made between *Swami* in the system of Kautilya with that of *The Prince* in Machiavelli, because of a superficial resemblance that exists as regards the means that both the philosophers recommend to be adopted by the ruler in justification of the overriding supremacy of the state. Accordingly, it is considered appropriate here first to examine the life and times and the political philosophy of Machiavelli, before analysing Kautilyan thought and system which is more Aristotleian, rather than Machiavellian Machiavelli, philosopher and statesman, was born in Florence in 1469 and he died in the same city in 1527. Machiavelli is the author of *The prince* which treats mainly of state-craft and lays down conditions that are necessary for the establishment and operation of the machinery of a strong state. Machiavelli believes in the true relation of history to politics, and in discovering parallels in the history of classical antiquity that bore relation to existing conditions, his interest in *The Prince* was clearly determined by contemporary conditions.

Florence since the invasion of Italy by France in 1494 entered upon a period of tumultous history. During the next twenty years, the City-state witnessed the proclamation of the Republic under Savonarola

and the second invasion of the State by France and the consequent state of lawlessness and insecurity. Machiavelli's chief political experience was in connection with this second invasion, and it was during the period of exile while on one of the numerous missions to other city-states, as Secretary of the Florentine Council, that he composed his famous treatise, *The Prince* Machiavelli was in the fullest sense, a child of the times, and he was the first to sense the upheaval of the Renaissance which was turning out to be a new orientation of the occidental mind and a sweeping revolt in intellectual and political life. Mediaeval civilisation was striving for centuries to raise a ladder from the earth to the sky on which mankind could climb to paradise; the interest in scientific knowledge was little, and the people were content with a rudimentry organisation of political power, and showed a marked antipathy to military or political organisation on a large scale

The Renaisance, on the other hand, organised society, armed the States and destroyed the mystic anarchy and spiritual ascent to Heaven characteristic of the Middle Ages.[1] The geographical explorations of the Period, scientific inventions, the spirit of adventure, the discovery of traces of an imposing political and military civilisation on the ruins of Greece and Rome, precipitated the Revolt. Freedom

1 Erskine Muir · Machiavelli and His Times pp 7-9
Cambridge Modern History, Vol. I.
The Renaissance, by Burd.

was the dominant note of the Age, freedom from the limitations and restraints which had been, imposed upon men's thought and action by the scholastic method and dogma, freedom to revel in every species of activity which the untramelled spirit of the ancients had suggested. There was the unification of authority in the Absolute State, and the territorial sovereign took the place of the petty, ineffective, unintegrated authorities which divided jurisdiction under feudalism. It was an Era of the strong man in both secular and ecclesiastical matters and of the establishment of the principle of the indivisibility of sovereign power. The Renaissance State was not a constitutional, much less a democratic state.[1] It was not concerned with the rights of individuals at all. The idea of the Time was governmental independence and not group development. Its essential quality was Sovereignty which implied a strong central authority, maintaining itself at all costs with a view to strengthen the State against all its neighbours. The secularism of the State, its independence of the Church, and the omnicompetence of the central government over old privileges and private jurisdiction were the most outstanding features of this new type of State.[2]

Machiavelli was not merely conscious of these tendencies, but was also able to foresee some of its consequences. He was the first to know that Italy

1. Dunning : Political Theories, Ancient and Mediaeval, pp. 291.
2. Ernest Barker : Church and State—A Study, Chapter II, pp 42.

was in danger, for nowhere was anarchy, demilitarisation, more impressive and more irremediable. Italy was an agglomeration of minor, obscure, isolated, incoherent societies in which there was neither the habit of obedience to constituted authority nor the reverence for religion, nor the sense of common citizenship, nor the impulse to co-operate for common interest. There were no real military forces and some States were tending towards consolidation, without legitimacy, without tradition, without stable laws. Private depravity and political debasement, selfishness, violence, craft and corruption darkened and defiled the administration of sacred things; but these went with one of the most brilliant intellectual awakenings in the history of the Western world.

Machiavelli felt that Italy must free herself in time from disintegrating tendencies; forces of disruption and disorder were to be controlled; order and unity attained; and people welded together under one supreme power which was to be a refuge against the distraction of conflicting allegiances and against the insecurities and restrictions of a disordered society. Otherwise, the collapse of Theocracy would spell death for Italy. Machiavelli denounced Papacy as a great national danger, as the primary cause of Italy's political and military weakness. He attacked Christianity as a religion of slaves and warned that Italy which dominated Europe intellectually should now arm in order to defend herself.

Machiavelli pleaded for the creation of one

powerful national state in Italy, founded on wise and just laws and capable of defending herself with a well organised national militia. He stood on the threshold of the Modern World, for he foresaw the collapsing of the Empire and the Papacy and discerned that something new like a National State must take their place[1] The only remedy for political decay was the foundation of the State by Force and to make it secure by good government.

Machiavelli had a pessimistic view of the world According to Machiavelli, the world neither grows better nor worse, it is always the same. All the things that have been, may be again. The good and evil are even identical. Men are looked upon as purely selfish and are actuated always by impulses in which social virtues have no part. Men are ungrateful, deceitful, fickle, cowardly and avaricious, made good only by necessity, and consquently, a monarch should inspire Fear rather than Love, for fear holds men indefinitely, controls the simple minded, and deceives men who judge usually by appearances. Machiavelli is in the fullest sense a student of practical politics and he seeks to determine the workings of a real and not of an ideal political life. Though there is not the same insistence on the baseness and the fickleness of mankind in his other Writings, Machiavelli suggests that the character of the State will depend on the number of individuals

1 Hearnshaw Political Theories of the Renaissance and The Reformation, Ch. 1. pp. 8

in it who wish for good or bad. The good will prevail in the State and through the State, because man as an individual is selfish, and as member of the State he is unselfish.' He says "it may be said of men in general that they are ungrateful, voluble dissemblers, anxious to avoid danger and covetous of gain; men forget more easily the death of their father than the loss of their patrimony." ' Machiavelli states that it would lead men to ruin by conforming to a perfect standard of goodness in a society where bad men usually predominate; and he considers like Hobbes that the only escape from such a society is to found a strong state whose function is to restrain mankind from evil influences and raise men from that level.[1] As the State will raise man from his conception of an individual good to the higher one of a common good, the State shall be justified in removing dangerous persons by any means which it choses to employ. Machiavelli objected to half measures, because he believed them to be ineffectual, and he invested the State with absolute authority because a calculating self-interest serves for a practical standard of conduct, as men have endless desires whose satisfaction constitutes the mainspring of all human action.[2]

Machiavelli consciously maintains the separation of Politics from Ethics and Religion, probably because

orley : Miscellanies p. 22.
n Affairs, 1937, p 571 ;
. Machiavelli, p 70
relli's Discourses, III, 30 (Trans.) Thomson

it corresponds more closely to the facts of human existence. Though he does not deny the excellence of the moral virtues, he does not consider them as indispensable conditions of political existence, and on the other hand, he systematically seeks to isolate the phenomena of politics from moral life and to study them wholly without reference to facts of moral existence. He gives to Politics an assured and scientific basis and treats them as having a proper and distinct value of their own entirely apart from their moral value. Success is the supreme law of politics and expediency is justified in place of the moral law. *Governance is a problem of strength and* skill and not of ethics and law, and it is to be judged not by intentions, but by the fruits of its policy

Machiavelli's mind is not befogged by ethical or religious discourses. He purports to teach only political technique and methods that would bring success. Like Kautilya, he is the first European Philosopher to make Politics the subject of utilitarian inquiry and business-like discussion. The striving for power and possession is a primordial instinct as strong in the individual as in the community. But man also has to reckon with morality and law. Between Kratos and Ethos, between the craving for power and the intruding sense of moral responsibility, between the instinctive and the spiritual, there is a middle zone called *Raison D' Etat* or reasons of State. Machiavelli says in *The Prince* "The experience of our own time has shown that those princes have achieved great things who made small account of good faith and who

undertook by cunning to circumvent the intelligence of others, and that in the end they got the better of those whose actions were dictated by loyalty and good faith. You must know therefore, that there are two ways of carrying on a contest, the one by Law, the other by Force. The first is reached by men, the other by animals; and as the first is inefficient it becomes necessary to resort to the second. A Prince should know how to employ the nature of man and that of the beast as well...A Prince should be a fox to know the traps and snares; and a lion to be able to frighten the wolves; for those who simply hold to the nature of the lion do not understand their business."

A sagacious prince then, cannot and should not fulfil his pledges "when their observance is contrary to his interest and when, causes that induced him to pledge his faith, no longer exist." This is to give sanction to craft and duplicity and to the prevalence of expediency over truth, whenever it is a question of aggrandising the State or preserving it. Machiavelli does not recognise any moral law, and sanctifies the duties of a statesman engaged in the development of the good of the State, though his acts are morally reprehensible.

The final satisfaction for a man in a State may be security of person or private property. Machiavelli offers Materialistic Individualism as an explanation of the love of independence and of self-government. He had faith in a free Republic as the highest type of government, because it gives a chance of material

gain to a majority of people; and independence is desired, besause wealth multiplies most in state that are not subject to others. According to Machiavelli, it is not the intellectual and moral uplifting of the country that smoothens the way to self realisation but material prosperity that is the conscious basis of political life.[1] Machiavelli wanted to see man's lot made easier and better and the only instrument or force that could ameliorate the lot of humanity was the strong State. Cansequently, he was for the subordination of the individual to the state and not for a balance between the interests of the individual and the interests of the community. He believed in the overriding of egoism by the state. Erskine Muir says 'Machiavelli never justified private advantage; he aimed at the common good and the facts of his career prove the truth of this'. The State rises above individual selfishness. Representing mankind at its best, it should not retain its position by force and should not let its component parts to be coerced. Passion and Reason are limited in his State to attain its two ends, Power and Justice. The problem of Machiavelli was the reconciliation of this dualism of power and justice which always clash at any moment but whose union would be perfection long dreamt of.

The Prince In Machiavelli's System.

So general was the weakness and disintegration of states in Machiavelli's time that he pleads for the achievement of unity and strength at whatever

1. Macaulay Essays Machiavelli, Vol 1 pp 267-320.

cost to the individual. Whether monarchies or republics, Machiavelli considered that the secret of the ruin and distraction of the state was weakness of will, want of fortitude, force and resolution; and therefore, clear intelligence, backed by unsparing energy, remorseless vigour, the brain to plan and the hand to strike, must constitute the salvation of states. Calculation, courage, fit means for resolute ends, human force,—only these can rebuild a world in ruins. Machiavelli was a hero worshipper and could not avoid a sense of pleasure in any manifestation of ability to reach a desired end with clear-cut and indisputable success.

A strong ruler might override faction and in his urge to power might by force create a strong state. He points out in the last chapter of *The Prince* that there was still a possibility in his time for the formation of a new strong state. 'Our country, left almost without life, still waits for one to heal her bruises, to put an end to devastation and plunder.' He draws in *The Prince* the quality of the man required to save Italy from impending disaster. The ruler's business is to save the state. He cannot practise all virtues. The man of action is essentially conscienceless.[1] Machiavelli takes his stand on reality and does not appeal to ethics or philosophy. He praises not the saint, but the patriot, and the laws of the patriot are logical laws and not moral laws; the end being accepted, it must be realised whatever the means.

1. Discourse, I. 36.

The voice of history has sounded across the centuries that the lives of men centre round their country and community, and the moral force doing away with *individual* selfishness *will* be the nation. "Praised are those who loved their country rather than the safety of their souls." The Prince should be on his guard against all vices; he should scrupulously abstain from every vice that might endanger his government. Of the two ways of carrying on the fight, one by law and the other by force, he may have to resort to the second, if the first is not enough. Machiavelli says "We should wish to be both feared and loved, but since love and fear can hardly exist together, if we must choose between them, it is far safer to be feared than loved."[1]

It is well for the Prince "to appear merciful, faithful and religious," and Machiavelli in one of his Discourses says that "tenderness and humanity have sometimes a much greater effect upon the minds of men than any sort of violence that can be used...and whole provinces have often been subdued by one act of compassion or generosity." But if it suits his purpose, the ruler has to go to work against faith, against charity, against humanity and against religion; reasons of state must override the moral law in special circumstances as when the safety of the country is jeopardised, and then, no regard need be paid to justice or injustice, to pity

1. Discourse III 20.

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1. Discourse III. 20.

or severity, to glory or shame.[1] Everything must be disregarded save that course which will save the state's life and maintain her independence. If there is an exhortation to the ruler to establish power by force, it is because, Machiavelli is so much animated by feelings of patriotism that he suggests desperate diseases.

Machiavelli was convinced that the Prince should form the first model, but his rule would be necessarily of short duration if he did not construct the state on the solid foundation of good laws and good arms. "A wise ruler should devise such means that his people may feel the need of the state and they will always be faithful to him, the ruler shall be on a friendly footing with his people, since otherwise he will have no resources in adversity The best fortress you can have is in being loved by your subjects. If they hate you, no fortress will save you; the ruler must be discreet enough to avoid the infamy of vices that would deprive him of his government "[2] Machiavelli placed trust in the people and like Aristotle, held that the multitude in the long run are the best judges and though they may go wrong about generalities, they are usually right as regards particulars. The people are less ungrateful than a prince Machiavelli asserts that a hereditary ruler or usurper can have no safety unless he founds

1. Machiavelli Discourses on the first Decade of Livy, Discourse, III. 30

2 Thomson' (Trans) Discourses, II, 16.

himself on popular favour and goodwill The ruler must be the instrument of his people s welfare and once the ruler has resorted to order and made his country strong, the personal rule should give place to popular government, for the state in reality always represents the country 36741

It is to the Free Roman Commonwealth Machiavelli desires his countrymen to turn, and if he has been stigmatised as the representative of a man without conscience and without shame, it is because he has been popularly supposed to have encouraged a belief in ruthless action and to have rendered moral life and action wholly subordinate to the exigencies of political existence and welfare In the third chapter of *The Prince* Machiavelli advises a usurper always to exterminate the dynasty he has dispossessed, otherwise he will never be sure of his own In the seventh chapter he apologises for treason and assassination in dicussing Caeser Borgia He sets forth the doctrine of perjury in the eighteenth chapter Machiavelli was probably convinced that it was not necessary to behave with honour and to observe the moral law in dealing with people who have no honour and who are outside the society Machiavelli was manifestly wrong when he advised new dynasties to destroy their predecessors when he vindicated Caeser Borgia and when he declared that the prince need not respect a treaty if it did not suit his purposes The only extenuating circumstance for Machiavelli to make such statements was that he was struggling for daily bread and *The Prince* which contains such

references was written solely to obtain from his master a position which would pay him a few hundred florins Ferraro says '*The Prince* is the supreme humiliation of a chained Titan, a mendicant prophet It is the anguish of a frightful mortification [1] But it may be said to the credit of Machiavelli that in a few brutally direct lines he has said what generations of jurists have repeated in involved legal terminology that a state need not observe a treaty when altered circumstances make observance too difficult or too dangerous It is true that precepts of most rigid morality cannot be observed in politics It is no less true that politics is an art in which the sense of unity and proportion are of the greatest importance and sometimes lies and disloyalty must be employed with great caution and parsimony to achieve the purposes of the state

Limitations of Machiavellism

Neither in inter statal relations nor between the classes within the state is Machiavelli actuated by considerations of equity and justice To him policy is a single thing means and ends are one transaction consequently everything policy requires justice sanctions There are no crimes in politics but only blunders for the state unlike the individual, a fleeting shadow lives on after he has vanished as the standing of the tree after the fall of the leaf It was likely Machiavelli rejected moral elements of government for a scientific purpose tried to free politics from

1 Foreign Affairs, 193˜ p 536

slavery to theology and sought to isolate the phenomena of politics and to study them wholly without reference to facts of moral existence

The Age of Machiavelli was one of religious eclipse attended by failure of the traditional foundations of morality Accordingly, Machiavelli saw only cunning jealousy, perfidy, ingratitude and concluded that the history of man is a sanguinary record of strife and bloodshed and not an illuminating story of mutual aid He saw only one side and the worst side of the extremely complicated nature of human beings, and by concentrating on the practice of governments, paid too little attention to the community which by its noble aims, moulds the government Machiavelli missed the necessity that the ruler must justify himself after capturing power by his exertions for the highest moral welfare of the human race man does not lean as Machiavelli thought nearer to the beasts than to the angels , and consequently all these centuries have depicted Mephistopheles as perched on Machiavelli's shoulders [1]

To the extent Machiavelli apotheosises certain living forces in the actual world, energy, force, will, violence resisting the control of justice and conscience and humanity and right, he represents one side in the unending struggle between forces of light and darkness It may mean suicide for a single state to

1. Foreign Affairs April 1937, p 572

follow the dictates of private morality while its neighbours apply to the maxim of undiluted national egoism An individual may suffer martyrdom for the sake of his faith, but a state cannot and must not make such sacrifices for it is the trustee of the generations to come The action of government is often determined by considerations of a biological rather than a moral order, and the supreme obligation of a state to survive, may involve decisions which an individual might feel bound on ethical grounds to reject Here is a difference between public and private morality which cannot be ignored Supreme emergencies call for exceptional methods Cavour while placing Italy on the map of Europe once said, "What rascals we should be if we did for ourselves what we do for our country ?"[1]

However lofty our ethical ideas, however firm our moral principles, we cannot shirk the rude challenge of *The Prince* John Morley puts Machiavelli's case in a modern way when he says that Machiavelli supposed that nature does not work by moral rules. War is not conducted by moral rules The whole universe of sentiment is haunted all day and night long by haggard shapes of hunger, cruelty, force and fear, "Why should the ruler of a state be bound by a moral code from which the soldier is free ? Why should he not have the benefit of what has been called the evolutionary beatitude ? Blessed are the strong, for they shall prey on the weak"[2]

1 G P Gooch Politics and Morals, p 18
2 John Morley Romanes Lecture, 1897, p 53

The chief weakness of Machiavelli is the striking contradiction between the nobility and the loftiness of his goal which is intense love for his own country and the baseness of the means he recommends to realise it So tenaciously did he cling to the original depravity of man, that the purely human aspect of politics seemed to have escaped his attention, and he failed to realise that habitual liars and breakers of sworn agreements are not trusted and even the most ungrateful persons are sometimes capable of a certain manifestation of altruism and generosity He fails, again, to distinguish the morally superior persons from the rest and does not contemplate the possibility of profiting from the small portion of goodness and loyalty that can be found even among morally inferior persons He ignored the ultimate potency of moral forces Machiavelli forgot one of life's great truths, the sanctity of the moral law and the disaster that would follow its violation and proclaimed that moral law is useless because it is violated Morality is the nature of things and the question of right and wrong is applied in every realm of human activity, and in our state of civilisation we have come to feel it a disgrace even to succeed by falsehood

Machiavellism is a theory of government in which the interests of the Ruler are alone regarded, it assumes a separation between statecraft and morality, it presupposes the corruptions, venality and baseness of mankind, it recognises force and fraud among the legitimate means of attaining high political ends and makes success alone, the test of conduct. The State

is an end in itself and has no higher duty than to maintain itself It owes no allegiance to any external authority ; treaties are a mere voluntary self limitation and International law is a mere phrase The State can only fulfil its function if it is strong and it need not inquire if its actions are approved or disapproved by its subjects for it is the guardian of the national tradition and a trustee for the interests of unborn generations

In the light of the foregoing it is clear that the comparison between Machiavelli and Kautilya is inappropriate though both Kautilya and Machiavelli were the originators of systematic politics and conceived it as a scheme coordinate with other cardinal sciences While Kautilya regards the private character of the *Prince* as the imperative for virtuous administration Machiavelli leaves the personal and private character of the *Prince* almost entirely out of sight, and treats him as the personification of the State, wherein the private individual is inevitably merged in the politician Though political duty and personal honour cannot always coincide and private virtue and political effectiveness are seldom compatible Kautilya visualises with Aristotle the possibility of a disciplined social order as a condition precedent for a disciplined individual achievement , as *Brahmacharya* and conquest of the senses

Machiavelli was the prophet of force and Kautilya was the prophet of *Udyama* for the establishment of righteousness on earth Macaulay says of

Machiavelli 'We doubt whether it would be possible to find in all the many volumes of his composition, a single expression indicating that dissimilation and treachery had ever struck him as discreditable'.[1] But the essence of the Indian traditional politics amounted to this, that self government *Swaraj* depends upon self control *Atma Samyama*, truthfulness of speech absolute devotion to duty, inner rectitude, piety without superstition and tranquility and self restraint

From this, it is clear that Machiavelli and Kautilya are two planets in different parts of the firmament with a different gravitational pull Kautilya in his conception of Statehood and Kingship inclined towards Plato and Aristotle who regarded State as a moral institution and attempted at a moralisation of individual ends through the benevolent agency of the State

1 Macaulay Essay on Machiavelli

CHAPTER VII

THE SWAMI IN THE SYSTEM OF KAUTILYA

Kautilya too, was impressed with the importance of a strong State, for his period synchronised with, the invasion of India by Alexander and the consequences of such an invasion. The expedition of Alexander had resulted in a vast increase of European knowledge of the East. The commercial relations of India with the West were strengthened and some degree of reciprocal influence was also exercised on each other by Greek and Indian art and literature. H. G. Wells says that three great *structural* ideas ruled the mind of contemporary mankind; a clear vision of man in relation to the things about him; service of one universal God of Righteousness whose temple is the whole world; the first germination of the idea of a world policy.[1] Before the invasion of Alexander, India looked as if she had been meant by nature to remain aloof from the rest of the world, and to develop her civilisation in isolation, untouched by the currents that stirred humanity abroad. The religion of Buddha had come to stay, and a theology had grown up about him, with all its complications, with the result that the moral teachings of Buddha were almost hid from view and smothered beneath the glittering mass of metaphysical subtleties.

1. H.G. Wells: The Outlines of History, P. 378.

Buddhism had gathered corruptions and variations from Brahmanism alike, and these had tended to disintegrate Hindu Society, producing moral inertness, laxity and antagonism to the deep-seated religious convictions of the people.

The invasion of Alexander had also weakened the small States and the free tribes of the Punjab and Sindh which had now rendered themselves to be willing victims of any ambitious power. The fear of another foreign invasion and the conviction that it would be impossible to withstand it without union probably made small principalities willing to accept the protection and supremacy of a strong kingdom; and the ground was prepared for the growth of the first Indian Empire under Chandragupta, under the influence of his able preceptor Kautilya. Chandragupta effected a dynastic Revolution, usurped the throne of Magadha and launched on a career of ceaseless conquests. A huge Empire sprang into existence unifying the innumerable fragments of a distracted country.

Gigantic world-wide *dharmic* movements were initiated, a few years later, by Chandragupta's grandson Asoka, and the affairs of secluded India were first brought into contact with those of the outside world. The whole world seemed stirring into new life, and the boundaries of men's horizons seemed immeasurably wider. The new conditions created by a clash of cultures helped to give the impression of an immense step forward in the progress of mankind.

Though history does not repeat itself, yet there do arise from time to time, curious parallels between one period and another. There are many points of similarity between the characteristics of Kautilya's India, the Italy of Machiavelli and our own century. The third Century B C. and the fifteenth century A D. were periods of immense vitality coupled with complete unrestraint in the social life of the times, paralleled only by the frankness of modern times. There is a certain resemblance between the lawlessness, violence and callousness to the sanctity of human life and the apathy of the public conscience of the day and the modern capitalistic civilisation, with its great material wealth and luxury with their attendant evils of great lawlessness and license. The two Periods again, were characterised also by the breakdown of the long-established forms of democracy and the substitution of dictatorship, because, the people were unable to bear the strain imposed by constant warfare, and showed therefore a disposition to accept a despotism which would give them safety and material prosperity.

According to Kautilya, Kingship and *Dharma* are closely related and the King is the fountain of justice '*Dharmapravartaka*'. It is the king's responsibility to maintain *Dharma* and to protect his subjects with justice, for its observance will lead him to heaven. '*Svadharmassvargāya Prajādharmena Rakshitah.*'

Kautilya is a confirmed believer in the moral order of the Universe, in the supremacy of *Dharma*

over *Artha* and in the State being created by divine ordination *to preserve Dharma*

Kautilya urges the organisation of States on the basis of law recognising all the while that moralisation of politics is a slow process and is likely to be held up again and again by mutual suspicions of sincerity Though as a practical statesman he often justifies the tendency of the rulers to subordinate ethical considerations to the need of the State *as when at war with unrighteous rulers there is an unmistakable acknowledgement of the principle of Varrasrama Dharma* and the man festation of a desire to apply it in politics To Kautilya Political life is not independent of moral life because the latter always conditions the former The State has a moral purpose to fulfil and that is the maintenance of the social order and if separation of politics from ethics is involved in Kautilya s work it is rather an incident than an essential in his System It is the primary duty of the Prince in Kautilya s system to maintain *Dharma* not only in the higher conception as the disinterested life of active duty but al o in its conventional sense as the duty prescribed to an individual by his station in the social order *Dl armāya raja Bhatat* na *Kamal aranaya* tu Again he says *Chaturvarnasramo Lokō Rajnah Dandena Pā tah Sia dharmakarmabhiratah Vartate Svesu Vartmasu* The King while maintaining *Varnasrama Dharma* as well as *Sādharana* and *A adhārana Dharma* is required to checkmate the pursuit of any *Dl arma* which is likely to turn out to be inimical to the purposes of State

and performance of kingly duties, and to accept as valid every local usage and custom that are not inconsistent with king's interests.

Kautilya too like other Indian Philosophers insisted on the importance of recognising *Trivarga, Dharma, Artha* and *Kama* and has thus deified earthly good as well as spiritual reality. According to doctrine of *Trivarga*, every man was required to strive to satisfy his spiritual needs by fulfilling his religious and moral duties *Dharma*, and his material needs, by acquiring the necessaries of life, property, wealth and power *Artha* and his instinctive desires by following the dictates of love *Kāma*. In later times, *Moksha* was added as a fourth and the highest aim of life. Long before the time of Kautilya, the cultural conditions had come to be crystallised in a social organisation with these dominating purposes of life associated with the first three castes respectively. *Varna* was the basis of the social order, each having a social value in relation only to the other divisions, with its theocratic doctrine of the sanctity of the *Brahmin* and the belief that a man's place in life is preordained. The difference between the castes was probably functional rather than racial. The Brahmin had to devote his time and energy for intellectual, religious and philosophical purposes and consequently *Satya, Ahimsa, Brahmacharya* and *Aparigraha* were prescribed for him as helpful in his line of evolution. The *Rājanya* had to develop power and *Rājadharma* permitted somestimes breaches of *Satya* and *Ahimsa*, on account of social and military duties which the king had to

perform in the act of preservation of the country from foreign danger ; the *Vaisya* had to seek success in trade and commerce ; and duties were prescribed for each class in such a way as to develop the virtues needed to attain its objective. Kautilya says 'The king shall never allow the people to swerve from their appointed duties, *Dharma*, for whoever upholds his own duty, adheres to the usages of the *Aryas*, and follows the duties of the castes and orders- *Varnāsrama Dharma* will attain happiness in this world as well as in the next.[1]

In assigning to each individual, a station in the Social Order with corresponding duties and responsibilities, Kautilya resembles Plato who also in his picture of the Ideal State provides for three classes of people, the Statesmen, the Warriors and the Artisan labourers, with duties peculiar to their stati n. The first was to make laws, and govern the State in accordance with the law ; the second was to protect the people from internal revolt and external danger ; the third class was to provide for the economic needs of the community. Justice was the princip'e of harmony permeating the social organisation, with the result each class attended to its own duties and was forbidden from meddling with the duties of the other two. The essence of *social justice* was to be found in the view that the individual was no isolated self, but part of an Order, and that he was intended not to

1. **Kautilya : Artha Sastra book, VIII. Ch. 2.**

pursue the pleasures of that isolated self but to fill an appointed place in the social order.

According to Kautilya, unlimited freedom may be allowed within the limits and restraints imposed by *Dharma* of the State, and individuals could pursue their avocations boldly and without interference in the attainment of the caste's cherished objects and purposes. The King was to provide the individual with every amenity of life so that he might attain his highest. If facilities were not available, the individual could leave the country and migrate to more congenial tracts.[1]

The king was to regard himself as an Agent of the people and had to abide by law as laid down in the *Sāstras* or embodied in the customs of the country which were both a political constitution as well as an ethical law. He was guided by his ministers in the practical work of administration. There was the influence of the learned class who were looked upon by the people as the guardians of Society. The king could not base his rule on *force* alone and tyrants who lost their head and fell into a temper were deposed or exiled by the righteous indignation of their subjects.[2] With these checks operating on the governmental system, it was very difficult for any king to make himself absolute and wield despotic authority. The form of government that Kautilya commended was *Sachivatantra* which was nothing else but a govern-

1. Kautilya : Artha Sastra book I, Ch. 13.
2. Kautilya : Artha Sastra Book VIII Ch. 2, Ch. 6.

ment by the aristocracy of intellect analagous to Plato's conception of government by the philosophers. There is a lofty ideal which the king is exhorted to keep before him.

Prajāsukhē sukham rājnah
Prajānām ca hite hitam
Nātmapriyam hitam rajnah
Prajānām tu priyam hitam[1].

The Prince should seek his happiness in th happiness of his subjects and his welfare in their: His good is not what pleases himself but what please his subjects. Kautilya strictly holds to the laws of *Svadharma*, and lays great stress on, restraint of the senses, *Indriyajaya* and on the king setting an example to his subjects and having their welfare at heart. "Readiness in action is his religious vow, the satisfactory discharge of his duties is his performance of sacrifice, equal attention to all is his offer of fees and ablution towards consecration."

According to Kautilya, the King is the first citizen of the State ; and he shares the enjoyment of the kingdom with his subjects.[2] The prince is required to carry on an unceasing fight against the six enemies of a monarch—lust, avarice, pride, anger, drunkenness and insolence, and against the four special temptations—hunting, gambling, drink and women. The king as the protector of the people

1. Kautilya : Artha Sastra Book I, 16.
2. "Tulyavētanō' smi; Bhavadbhih saha Bhōjyamidam Rājyam,i" Artha Sastra X, 3.

may be punished for neglect of popular welfare Consequently, it is necessary for the king to lead a strenuous existence.

Kautilya treats of discipline and the education of the Prince in the first *Adhikarana* of Arthasastra. According to him, ignorance and absence of discipline are the chief causes of all diseases of the body politic. The king therefore, should be well educated and trained to control his senses. He should be instructed in philosophy *Ānviksiki*, in *Vedic* lore, *Trayi* in economics *Vārta* and in politics *Dandaniti*. The most important branch of study is politics; and since a knowledge of technical and economic matters is also required for the king, and the monarchical form of government has been invariably the rule, and the principle means of politics is force and punishment, the Prince should be well informed about the sciences of *Arthasāstra Nitisastra* and *Dandaniti*. Philosophy is the foundation of all sciences, for it sharpens the mind and makes it fit for thinking, speaking and acting correctly and properly in all conditions of life. Philosophy helps the prince to discern according to the *Veda* what is right and wrong, what is useful and what is useless in economics, and what are right and false methods in politics. The Prince will know about the duties of the castes and the *Āsramas*, through his knowledge of the *Vedas*. He should learn economics from the Superintendents of the different departments, and politics from theortical and practical politicians. The Prince should be a man of large aims and should always keep in touch with the aged and learned men and seek

their advice in all matters of difficulty, for his duties are so varied and comprehensive as to include promotion of agriculture, commerce, construction of buildings and roads, maintenance of orphans, old and the infirm and afflicted persons, and provision of food, clothing and residence for the weak, needy and the indignent.

As all education depends for its fulfilment, on the control of the senses *Indriyajaya*, it is of the utmost importance that the Prince should practise self-control, and conquer the *Arisadvarga*, viz, lust, anger, greed, pride, haughtiness and vain glory. The day is divided into eight *Nalikās* and the Prince is enjoined to observe duties allocated to each particular *Nalikā*. He is required to enquire about the needs of the people in the second *Nalikā*, *Dvitīya Pāurajānapadānām Kāryāni Pasyet*; he is to study philosophy, *Vedas* and other branches of knowledge *Svādhyāyam ca kūrvita* in the third Nalika and so on. According to rules given about the daily duties of the Prince, it would appear that there could not be a harder and more complicated life than that of a ruler. Because, as even the best of princes could not hope to attain success alone in the task of protecting the subjects and of maintaining *Dharma*, the Prince is required to be meticulous in the choice of his friends and servants; and several chapters in the *Arthasāstra* are devoted to the choice of Ministers and officials and to the ways and means by which to discern their true character.[1] It is this

1. Kautilya's Artha Sastra. 1, 6.

responsibility that impels the Prince to organise a formidable system of espionage and by means of temptations and the like, test the reliability of officials and servants of the administrative hierarchy. The spy service is carefully organised and the spies communicate with one another and with the head office, by signs and secret writing. Loyal persons are rewarded and disaffected and all dangerous elements are got rid of by police regulation and criminal law (*Kantaka Sodhana*)[1]. The Prince is advised to employ all kinds of cunning and abominable methods to get rid of unreliable ministers, traitors and enemies of State who are too powerful to be dealt with openly.

Suāmi is the sovereign of a territory, independent of any wider political unit, which is not a lifeless instrument but a living organism of a higher kind endowed with spirit and body. When Kautilya specifies the essential qualities of the *Suāmi*, he does not imply that he must be a King;[2] and these qualities are of an attractive nature *Abhigāmika*, those that relate to the understanding, *Prājna*, enthusiasm *Utsāha* and *Ātmā Sampad* or self-possession The *Suāmi* was to be also a *Sakya Sāmanta*, one, whose neighbours could easily be controlled, one possessed of an important assembly of ministers *Akshudra-parishatkā*.

The Greek and Indian conceptions of kingship were amazingly similar, for Plato, mentions of the

1. Kautilya : Artha Sastra IV, 13.
2. D.R. Bhandakar : Some Aspects of Ancient Hindu Polity, P. 66.

'employment of four tutors designated 'most wise', 'most just', 'most tmeperate' and most brave for the education of Persian Princes. The first taught love of Zoraster, the second, to be truthful, the fourth to be fearless and the third not to be mastered even by a single pleasure, in order that he may acquire the habit of being a free and real king, one, who is the first of all, the ruler of whatever are, in himself, and not their slave.[1] This is significant for the secret of Kautilyan conception of government was 'likewise, the mastery of oneself *Ātmaraiva Sahdyēna* which would lead to the mastery of everything else.

The essence of *Rājadharma* consisted in self-government "*Swaraj*" depending upon self-control and self conquest *Ātma Saṃyama*. Gāndhiji, true to this great tradition of politics, lived accordingly and achieved emancipation. Kautilya envisaged a conception of kingship removed from the taint of absolutism of any kind and asserted that 'only a ruler who rules himself can long rule others. Whoever is the sovereign, even one whose dominion extends to the ends of the earth, if of perverted disposition and ungoverned senses, he must quickly perish '*Viruddhi Vrittir Avasyendriyah* : It is victory over the powers of perception and action that is eternally efficacious; '*Krtsnam he Sāstram Idam Indriya Jayah*'. Plato, likewise spoke of the heroism of a king whose victory was a a victory over pleasures, a symbol of self-conquest

1. Alcibiades 1, 122.

and self-knowledge.[1] Asoka stated in one of his Edicts 'The foremost victory, is the Victory of *Dharma*, and he enjoined upon his successors to regard as victory, the victory of *Dharma* which availed for this world and the other.[2]

Kautilya and Sukra proceed on the assumption that sovereignty necessarily belongs to Kings. They were aware of other forms of Government as when Kautilya speaks of sovereignty, sometimes, as the property of a clan or *Gana* and concedes that the Corporation of clans is invincible in its nature, and being free from the calamities of anarchy, can have a permanent existence on earth. Sovereignty is not a right to be claimed but a matter of duty imposed by *Brahma*. Kautilya does not speak of a State in the national sense, for his State is not restricted to one race, language or religion. There is a certain compactness or homogeneity of feeling about the State, and of the Social order with its hierarchy of castes and dominated at the top by the Sovereign.

Centrifugal forces were in vogue in his time and Kautilya tried to integrate the social forces into a coherent whole under the aegis of a strong centralised monarchy. The State, according to him, is a living organism with spirit and body; it is a union of soul and body, of material elements and vital forces; it has in its parts as members, *Srēnis* and *Sanghas* which

1. Plato. Laws 841. C.
2. Thirteenth Edict. Line 7.

are animated by special motives and capacities in order to satisfy in various ways, the varying needs of the whole community. The State is a moral and spiritual organism developing itself from within, outwards; *a great body which is capable of taking* up into itself, the feeling and thoughts of the *Janapada*, of uttering them in law, and realising them as *Sasana*.

The personality of the State is the *Swāmi* manifesting a will of his own. He is the embodiment and personification of Power conceived in its highest dignity and greatest force; plentitude of public power and supreme public dignity and majesty are *Swāmi's* characteristics. "A *Suāmi* 'Kautilya says' when endowed with rich qualities enriches the *Prakrtis* with his own richness, of whatever character he is, of that character, the *Prakrtis* become, because their progress and decline are dependent upon him."

A *Swāmi* is indeed their *Kūta-Sthāniya* or immutable spirit The *Prakrtis* grow or decline with him like the Sun in the solar system or the soul in the human body, the King is the inner soul *Antar-ātma*, pervading the movable and the immovable Universe and the primary elements of creation in the State as the symbol of the Universe : *Rāja Rājyamiti-Prakrti Samkshēpah.*[1] The *Prakrti* in epitome means that the king is the State not in the sense of '*C' etat C'est moi*' because that would evidently imply unlimited and arbitrary power; but

1. Artha Sastra Book I Ch. 17

the manifestation of the integrity and welfare of the State.

Kautilya does not attach much importance to the theory of divine origin. Kingship is a human and not a divine institution.[1] The life of the King is hard and exacting, and the detailed time-tables of work ordained for him indicate the strenuosity of his existence in the State. No distinction is made between his private and public duties[2] The King is ideal in private life. 'With his organs of sense under control, he shall keep away from hurting women and property of others, avoid not only lustfulness even in dream, but also falsehood, haughtiness and evil proclivities and keep away from unrighteous and uneconomical transactions. But[3] when the good of the State requires it, and he has to defend it against unrighteousness he must be prepared to practice treachery, deceit and sacrilege if need be, by setting up temples with idols by taking advantage of the credulity of the people, and by replenishing the treasury from exactions from the rich.[4] . The king is always a public person dedicated to the service of the State. *'Rajnohi vratamuttanam Yagnah Kāryānusāsanam Dakshinā vritti sāmyam cha Dīkshitāsyābhisēchanam.*[5]' The *Swami* is the architect of *Dharma* and is a *Dharmapravarttaka* engaged constantly in the peformance of right-

1. Artha Sastra Book I Ch. 10
2. Artha Sastra Book I Ch 10
3. Artha Sastra Book I Ch. 7.
4. Artha Sastra Book V, Ch, 1, 2.
5. Artha Sastra Book I, 15.

eousness. *Dharmāya Rāja Bhavati Nā Kāma Karanāya tu.* The king is the protector of the Social order.

> *Chaturvarnāmasromo Loke Rājna Dandēna Pālitah*
> *Sevadharmakarmābhirato vartate sveshu vesmasu.*[1]

Furthermore, the duties and the functions of the King are the duties and the functions of the State.

CHAPTER VIII

THE PRINCIPLE OF OMNIPOTENCE

The King represents the sum total of the distinctive functions of the eight gods. Of those the attributes of six Gods are important. *Indra* for protection of person, *Aruna* for diffusion of culture, Sun for light in religion and destruction of irreligion, *Yama* and *Agni* for economic functions of State.

The essential functions of the King are protection and punishment. There are two strands of thought in Hindu belief about the conception of punishment. *Bhīshma* of the *Mahābharata* one of the most important of political thinkers of India postulates a Golden Age, of pristine purity and bliss : an Age of innocence of man governed by sense of *Dharma* or law of reason. In the *Krtayuga* State, there was only *Dharma* and no *Adharma*, no *Karyākarya*. *Agamyāgamya*, *Vachyavāchya* and *Bhakshya-bhakshya*. In this State, man by his own nature and spontaneity observed *Dharma*. But *Moha*, *Kāma*, *Lobha* and *Rāga* brought about corruption and degradation of human nature and man departed from God, hated other fellowmen, and fell into confusion and disorder of every kind. The restoration of *Krta Yuga* was brought about by *Rājya*. This idea was in keeping with the general Indian philosophic conception of the original purity of self, the self being caught up in an interminable *Kārmic* Wheel due to an intermixture of

Dosa and *Adosa*. Purity and impurity and the resurrection of the self and its restoration to its original purity by a process of spiritual discipline, was the order.

All Hindu thinkers did not believe in the fundamental goodness of man and never set a high premium on man's natural impulses. *Mahābharata* itself does not offer a roseate romantic conception of human nature ; on the other hand, the non-state was conceived to be a war of all against all, a state of nature in the Hobbsonian sense or *Matsya Nyāya*, in Hindu legal terminology. Such a state arises when there is a conflict between powerful and helpless units, when the helpless people are crushed and obliterated by the powerful. The intelligence of man is eclipsed by *Moha*, is empowered by cupidity and then is vitiated by *Kāma* to possess things not possessed ; and ultimately, the mind is overpowered by *Rāga* which ignores the distinction between what should be done and what should not be done, and as a consequence there appears sexual licence, libertanism in speech and diet and indifference to social and political morals. It is, with this negation of morals and manners, with the nullification of property and with the antithesis of law and justice, that the non-state is identified.

There is a description of the State of Nature in Kautilya, though reference to *Matsya Nyaya* is made in a few *Adhikaranas*. He is one of the thinkers who entertains belief in the instinctive wickedness of human impulses being corrected by *Danda* of the King. There is a graphic description of what the Society

would appear like. in case of unrighteous conduct on the part of the king. Which enemy is to be marched against; a powerful enemy of wicked character or a powerless enemy of righteous character ? The strong enemy of wicked character should be marched against but when the enemy of virtuous character is attacked, his subjects will help him or die with him.

By insulting the good and commending the wicked ; by causing unnatural and unrighteous slaughter of life ; by neglecting the observance of proper and righteous custom ; by doing unrighteous acts and neglecting righteous ones.[1]

Uchitanam Charitrānām Dharmistānām nivartanaihi
Adharmasya Prasangena Dharmasyavagrahena ca ;

By doing what ought not to be done, and not doing what ought to be done, by not paying what ought to be paid and exacting what ought not to be taken; by not punishing the guilty and severely punishing the less guilty, and by arresting those who are not to be caught hold of, and leaving those who are to be arrested; by undertaking risky works and destroying profitable ones; by not protecting the people against thieves and by robbing them of their wealth; by giving up manly enterprise and condemning good work; *Pātaih purusha karanām karmānām guna dushanāih* : by hurting the leaders of the people and despising the worthy, *Upaghātaih pradhānām manyānām chavamānanāih*; by provoking the aged, by crooked conduct, and by

1. Artha Sastra Book VI, Chapter 5., 276.

untruthfulness *virodhanaišcha vrddhanām vaishamyēna anrtēna ca,* by not applying remedies against evils and neglecting works on hand; and by carelessness and negligence of himseif in maintaining the security of person and property of subjects--the king causes impoverishment, greed and disaffection to appear among his subjects *Rājnah Pramādālasyābhyām Yogakshēma vadhenaca Prakrtinām kshayo lobho Vairagyan chopaiāyate* when a people are impoverished, they become greedy; when they are greedy they become disaffected. *Kshīnah prakritayo lobhām lubdha yāntivirāgatām*[1] Hence no king should give room to such causes as would bring al out impoverishment, greed or disaffection among his people *Tasmāt prakritinām kshaya lobha virāga karanāni rothpādayet*

Kautilya set a high premium on institutions and conventions of-society and regarded these to have been designed to educate man out of primitive licence and beastly freedom, to correct infirmities of human character or to restrain and tame the brute in man by opening out avenues for a fuller and higher life. It is only by the institution of *Rājya* with its instrument *Danda* that the impulses of man could be restrained and directed to fulfil the common good *'Sarvo danda gito lokō Durlabhohi Suchih kiachit Dandāsya hi bhayāt kritsnam Jagat bhogaya kalpate* According to Kautilya, in the absence of punishment, *Matsya Nyāya* operates and leads to the disruption of the world. A State is what it is, because it can coerce, restrain or compel; the State vanishes, if control or *Danda* is removed from

1. Ganapati Sastri. Arthasastra Bk. 7 Ch 5.

social life. Coercion or force is the *sine qua non* of the State. *Baiyā i Ba'am hi grasate Dandadharaābhāve*; it is the principle of omnipotence, the abstraction of that power whose concrete, embodiment is *Swāmi* (*Dandadhara*). He is absolute with jurisdiction over all, and uncontrolled by any, except by self-imposed laws. He is the protector of all beings, keeping them to their *svadharma* and making them co-operate in the realisation of happiness. It is by *Danda* that the State can be saved from reversion to the logic of the fish and utter annihilation. As the people can also be induced to be followers of *Dharma* by judicious administration of *Danda*, it is the foundation of all civic life, the great support of virtue and the motive force in animating mankind towards the fulfilment of righteousness. *Danda* is a potent instrument of danger even to the Ruler himself who would be destroyed by maladministration and violation or dereliction of duty. *Danda* brings into existence, a well regulated society with its institutions of Property and *Bhoga*.

Man, therefore cannot do without organisation and he must submit to a State and its instruments of sanction, coercion and punishment, in order to realise righteousness. *Dharma* is synonymous with Statehood and with the *Dandadhara*, for he is the protector of *Dharma*, law, justice, *Varnāsramadharma* order, *svadharma* and duty. *Dharma* is inconceivable in *Arājaka* state and it emanates in Danda which in the form of command, determines what is eternally efficacious, and therefore is obligatory for every individual to

obey. *Jaimini* says '*Chodana lakshanārtho dharmah*' and accordingly. that which is determined by command is *Dharma* which thus becomes identical with *Danda*. In simple terms, *Dharma* is *Danda*. *Danda* supports the law and constrains man to mind his own duty, it also enforces, and *Danda* as duty is the obverse of *Dharma* as law, looking *Dharma* from the angle of *Prajā* or *prakrti*, who are kept, each in his proper sphere by a discriminating use of the weapon of sovereignty 1

Then, justice if violated destroys the State, and if preserved, maintains the State and therefore maintenance of justice is the *sine qua non* of the State and Kingship; and justice is the discrimination of the good from the bad and is calculated to minister to the virtues of the rulers and the ruled and to promote the common good. The sovereign, according to *Artha Sāstra*, gives the widest publicity to his commands *Sāsana*, which is justice and is thus identical with the Truth. Law represents universal human conscience and the act of a Law-maker is an embodiment of this conscience. Accordingly, the commands of the king are documented in *Sāsana Patra* by *Lekhaka* who clearly and in unequivocal language promulgates the king's law.

1 Artha Sastra Tikshnadandōhi Bhutānam udvējaniyah Mridudandah paribhuyāte Yatartha dandah pūjyah Suvignāta pranitohi dandah prajādharmārtha kamāih yōjayate Book V, Ch 3.

Ganaganath Jha Indian Thought 1980

K L Sirkar Lectures I Political Institutions p 23-24.

Ātra Sathyē Sthithō dharmah vyavahāràstu sākshıshu
Charitrām Sangrahe pumşam, Rajnāmagnā tu Sāsanam.

Kautilya exalts the power of the king above all other sources, unlike the political writers who preceded Kautilya or followed him. There is a categorical assertion about the transcendental character of *Nyāya* and enacted-law ; and its being the authentic Constitution is implied in the verse :

Sāstram vipratıpadyēta dharmanyāyena kenachıt
Nyāyastatra pramānam syāt tatra pathō hi nasyatı.[1]

This does not repudiate the supermacy of Law in all higher departments of knowledge, but only aims at a reconciliation of *Varnāsrama dharma* with king-made *Dharma* This exaltation of kingly authority by Kautilya was dictated by the general disruptive forces that were disintegrating kingdoms in his time and were an invitation to universal territorial monarchy. For, the first time, in order to achieve the integration of States and their eventual solidarity against internal and external enemies, Kautilya pleads for the modification of existing *Vyavahāra* and *Āchāra* by royal legislation and jurisdiction.

The interpretation and the enforcement of the king's Law was to be done by *Dharmasthıya* and *Kantaka Sodhana* Courts. There is nothing unusual in the description about civil litigation being schemati-

1. Artha Sastra Book III Ch. 1.
Dharmascha vyavahārascha charitram rājasāsanam
Vıvādarthaschatushpādah paschımah purvabādhakah.

cally divided into twenty *Prakaranas* and dealing with rules regarding labourers and co-operative undertakings, rescission or purchase and sale, resumption of gifts, without or with ownership, robbery, defamation and assault, gambling and betting and miscellaneous offences. Royal officers and *Dharmasthās* administered the Law according to strict rules of procedure.

But, the *Kantuka Sodhana* Courts appear as a phenomenon in the legal history of ancient India. The expression "removal of thorns" confirms the thesis that the *Dandadhara* actuated by the sole desire of preserving the State's integrity becomes relentless in the supression of any form of wickedness that militates against the welfare of the *Janapada*. The judges of the Courts were of majesterial authority disposing of cases without the formalities of the civil procedure Code and without the assistance of the jurists.

The organisation of the *Kantaka Sodhana* Courts was to meet the demands of a new political emergency as that of the birth of an Empire with its highly complicated Political and social economy and the bureaucratic machinery constantly impinging on the trades and the vocations.

The exigencies of the Empire which Chandragupta had forged, demanded a separate system of Law which governed the relations of the Executive and the Administrative authorities of government. The

administration had taken on itself, enormous burdens of responsibility and had to protect itself against internal danger from artisans, washermen, musicians, *Bhartakas*, and merchants; against national calamities, against the wicked, living by foul means and employing criminal propensities to destroy the tranquility of the land. Vast discretionary power was vested in the hands of the administrators and the judges, to checkmate forces of disruption and tendencies to destroy the fabric of society which was being convulsed by new conditions created by the Alexandrian invasion. There is a suggestion that this excessive centralisation of Magadhan government with its corollaries of Administrative Law and administrative courts, was induced by Hellenistic and Persian influences. If one believes in the historical character of the *Artha Sastra* of Kautilya and in the radical centralisation of Indian Government affected by Chandragupta on Hellenistic lines, one may say that Chandragupta and Kautilya did more to Hellenise India than Demetrius and Meander.[1]

Kautilya did not invest the subject with any right to depose or kill a tyrant and there is no reference to the Theory of Rights of the people, but only to coercive control by the king. As the phenomenon of the Social Order was the resultant of duties and as every man had a group of duties, the rights of the people were indirectly referred to, by enumeration of the

1. Annals of the Bhandarkar Oriental Research Institute Vol. XXIII P 95.

duties of Kings. Plato in his Republic assumed three distinct classes with separate duties; and the fulfilment of Station, as Bradley suggests, was a good enough practical canon of morality. In the political thought of Greece, the notion of the Individual was not prominent, and the notion of Rights could hardly have been conceived;[1] while among the Hindus, death in performance of one's own duty or *Dharma* was preferable to a mode of life where one had to perform duties which should be performed by others.

Though Kautilya looks upon monarchy as the best form of government for securing centralized unity, Kautilya states that the king should regard himself as a servant of the people. *Tulya Vetanosmi Bhavabdhi sah Bhoghyamidam Rājyam.*[2] Arbitrary power was not associated with kingship; on the other hand, the king had to control himself *Shatru Shad Varga Thyāgh*; for passions and malevolent-affections when unrestrained would destroy the Ruler. He was also required *to see things of State through the eyes of the aged* ministers about him and to follow the course of conduct approved by them. He was to adopt *Vridhopadesachara* and turn out to be *Vridha-dharshin*.

The King was not to act alone, as the chariot of State could not be run by only one wheel. *Sahāya Sādhyam Rājyathiam Cakramekham na vartate.* The *Swāmi* was to be associated with *amātyās* possessed with the

1. Barker Greek Political theory P. 7.
2. Artha Sastra Book I, Ch. 3.

qualities described by *Bahudanti-putra ; Abhijana prājna sāucha shauryānurāgayuktānamātyān kurvīta. Sarvamupapannānām iti Kautilyah, Kāryasāmarthādipurusha sāmarthya kalpyate. Sāmarthyātascha*[1]

The advice of elders and ministers had to be applied effectively in practice, in administration in the Kautilyan period when India was divided into a number of tiny, independent States, at war with each other and incapable of vitality to resist aggression. The King was to develop the qualities of *Purushasāmarthyā* and *Kārya Samarthya* along with *Indriyajayah* and a life of righteousness and unselfishness to ensure a good and peaceful and energetic government at home and diplomacy of peace outside the State. The discontent of the subjects was a serious flaw and a calamity to the State, for, the neighbouring princes would always be vigilant and careful to watch and detect whether the people of their neighbouring States were disaffected or not.[2] Accordingly, the preparedness and unpreparedness and the enthusiasm or disaffection of the people, determined one's foreign policy and the extensions of territorial boundaries Some writers are inclined to believe, thus, that the *function of conquest* was the most important of kingly functions, and the *Artha Sāstra* essentially is a study of monarchy in relation to the expansion of domination of the monarch.

1. Artha Sastra Book I, Ch 4.
2. Artha Sastra Book VIII.

CHAPTER IX

THE VIJIGISHU : WAR AND DIPLOMACY

Wars in ancient India were the product of the ethnic phenomenon and of Hindu Society being hierarchic and placing a premium upon a warrior community as the custodian of peace and order. The mental milieu of Society, instinctive turbulence, the desire for gallantry and adventure prompted by a psychological feeling of the barrenness of peace, the spirit of jealousy, and the overpowering ambition to acquire total mastery over land and people were the primary causes for feuds and wars. As the sovereign according to Hindu conception, was the symbol of unity and the centre of the State, and he could have no personal ambition of his own out of relation to those of the *Janapada*, the desire for expansion of territory was considered by political theorists like Kautilya as perfectly legitimate for any sovereign to attempt ; for the desire for expansion, was the desire of the *Janapada* in the midst of incessantly warring states to plead for consolidation and preservation of the security and the peace of the State under one strong leadership.

Defence to one State was aggression to the other. Therefore, a sort of Imperialism on the part of the monarchs to become *Sāmrāt* was of the nature of federal units centring round a dominating ruler. *Aitareya Brāhmana* mentions of *Ādhipatya*, which meant an Imperial system in which suzerainty on States

1. The book "The War in Ancient India" by V.R R. Dikshitar had been useful in the preparation of this Chapter.

outside its frontiers was exercised by the dominant States. The concept of *Janarājya* of the period of *Satapatha Brāhmana* which claimed *national* sovereignty, was superseded later by the concepts of *Chakravartı*, and *Sārva Bhāuma* whose claims included *Sarva Bhūmı* the whole area within natural boundaries and the whole country with natural frontiers.

Kautilya described this natural frontier as the imperial field lying between the Himalayas and the Cape Comorin, limited by impassable mountain ranges on the North and the seas on the East, West and South. This was the *chaturānta* sovereignty, the territorial ideal of a one State-India *Chakravartıkchetra*[1] and the attainment of the *Ekarājatıam* or sole monarchy of all the known earth. Kautilya defines this territorial idea *Dēsha Prıtvī tasyām Hımavat Samudrāntaran udīchınām Yojana Sahasra parimānam Tıryak Chakravartı Kshētram*. This was the one umbrella-sovereignty designated as *Ekachatra*.

As the ideal of Kautilya's monarchy was universal sovereignty through conquest, *Nyayēnacha Chaturthēna Chaturāntam Mahım Jayēt*, the notion of imperial rule even through usurpation of degenerate dynasties as suggested by *Bhāradwāja* who figures as a great political thinker in the Mahabharata—was rejected by Kautilya. Kautilya's system was essentially a *Monarchıcal* system detached from the *Non-Monarchıcal* Suzerainties as *Janarājya*, *Ādhipatya* and *Sāmrājya* which were merely a

1. Kautilya Artha Sastra Book, IX, I

collection of states under one acknowledged Super-state, a federal Imperial system, different from the one-king system of Kautilya. But, Kautilya was not opposed to the teritorial integrity and independence of *Sanghas*, as he records in his *Artha Sāstra* the need of cordial international relations between *Ekaraja* and the *Sangha* and recommends the cementing of alliance, with subsides and peace, and in the case of refractory *Sanghas*, with war.[1]

. The Kautilyan system of an arena, where the Imperial wheel moved unobstructed, looks almost a substitution of the Empire of Religion, '*Dharma Chakra* of the Buddha, and the adaptation of this phraseology to the realm of politics[2] In the place of the *Dharma-Chakra*, Kautilya organised the *Chakravarthi* system, as the means of realisation and consolidation of the Empire as preparatory to universal righteousness : *Dharma Chakra*. The Buddha familiarised India with the notion of the Empire of Religion realised through the machinery of self government of *Sangharājya*, while Kautilya evolved the technique of the *Chakravarti* system and of an integral Empire with a view ultimately to realise the dream of the Buddha which was universal righteousness.

The Artha Sastra itself appears as a guide to the would-be conqueror ; and nine out of fifteen *Adhikaranas* of the Work directly or indirectly, deal with the *Chaturānta Raja* and the suzerainty which has to be

1. Artha Sastra Bk XI I
2. V R R Dikshitar · The War in Ancient India p 90

established over the whole world bound by the four quarters.

The *Utsāha* of the *Swami* is to attain to superiority, preeminence and overlordship, and to acquire an all-embracing authority over all kings, by achieving all forms and degrees of sovereignty over space and time and thus establish his over-lordship of the earth up to the seas. The *Chaturānta Raja* of Kautilya does not find a stable equilibrium until he is the sole monarch of all the States. The irresistible logic of dynamic politics, forces the king to destroy the unstable political equilibrium attained for transitory periods between independent but unequal States, and thus challenge the homage of humanity.

Kautilya, to achieve a universal moral order describes the States as a highly centralising and unifying power; and it seemed rational to him that during the process of co ordinating the State, those within and without its borders should transfer all power to it and accept the obligation to obey it ; for the State represented the universal *Dharma*, which consisted in the liberation of the individual from both his baser, internal instincts and any external factors that might hinder the individual in the exercise of his duty and the urge to perfection

The State was the realised moral life and the State was always to attempt at a new synthesis which would naturally arise out of rivalry of States, till at last, a universal synthesis was established abrogating

ceaseless struggle, deterioration and immorality. Life had to be lifted up to the vision inherent in the Divine ideal, and authority had to ordain the ultimate criterion of the conduct of social life, because those who ruled, had a closer relationship with the Divine.

The authority of *Chaturanta Rāja* was employed to transform the State into a wholly spiritual creation. He was to be the supreme embodiment and the crystallisation of Kautilya's philosophy of thought and action.

Historic and contemporary experience confirmed in the mind of Kautilya, the importance of inter-State relationship, and the extreme difficulty involved in the defence of the State and in the protection of safety and security of the subjects. Clearing of forests which separated States, colonisation, irrigation from long rivers which traversed through several States, real or imaginary insults to the honour and dignity of rulers, indefinite frontiers, mere aggression with the ostensible object of preserving political unity often presented great difficulties in negotiations and were the fruitful source of interminable misunderstandings.

Accordingly, Wars being inevitable, Kautilya in his *Arthasastra* prescribes for the *Swāmi* a course of studies which included *Trayi*, *Ānvikshiki*, logic, *Vārta* economics, and the science of politics and diplomacy *Dandaniti* ; *Adhyakshās* of departments and experts in military-craft were engaged to teach the warriors, the secular sciences of economics and politics. Kautilya was so

much impressed with the superiority of practice to doctrine that he insists on a period of apprenticeship to the Sovereign. As the Hindu science of warfare valued both ethics and valour, waging of war without regard to moral and traditionally accepted standards, was a degradation of the spirit of humanity, and of the institution of war into mere animal brutality. Of the two kinds of war *Dharma Yuddha* based on *Dharma* and *Kūta Yuddha* based on craft and diplomacy, the former was regarded as righteous and the latter unrighteous.

Kautilya who was familiar with these political techniques practised before his past, introduced in his great work, a political term which was an innovation in his time.[1] That was *Dharma Vijaya*, perhaps an equivalent of *Dharma Yuddha*, and accordingly, the *Vijigīshu* was to be satisfied with the acknowledgment of his over-lordship by the conquered or defeated States, the motive inspiring the *Vijigīshu* to do so, being to avoid war and blood-shed at all costs, and to promote peaceful and diplomatic relations with the inhabitants of other States and foreigners. It was a righteous method of warfare where diplomacy and acts of conciliation were the *Sadhanas* not only to avoid fighting, but to win over neighbouring states. The dominating personality of *Vijigīshu* was to evoke respect from the States, and from the people who were to acknowledge his intrinsic superiority, and thereby maintain in the circle of States, pacific relations with one another.

1. V.R.R. Dikshitar : The War in Ancient India.

It is the contention of a few scholars that *Dharma Vijaya* was essentially a term of enormous *political* significance and that when Asoka born and bread in the Kautilyan School of politics, employed this term in his Thirteenth Rock Edict, he did not mean 'conquest' by morality for conquest by arms, but, that, transformed as he was in body and soul, by the sight of the horrors of blood in the *Kalinga* war, he would be at peace with the whole universe and adopt only when inevitable, the righteous method of warfare.[1]

One of the great services that Kautilya rendered to the cause of International Law is the premium he placed on *Dharma Vijaya*, and accordingly, he treats the person of the ambassador and *'Dūtā'* as inviolable, and invests the person of all those involved in negotiation, treaties and alliances, with an invioable sanctity akin to religious awe. Retaliation was to be resorted to, only in case of failure of conciliation and compromise : and this in form of *Sāma* and *Dāna* against inferior powers and through the techniques of *Bheda* and *Danda* towards equals and superiors. All attempts are to be made, by the employment of expedients of policy, severally or jointly, to prevent outbreak of hostilities between parties in the contest, and to leave them conciliated or pacified. When every peaceful expedient failed, and war became inevitable, then the *Vijigīshu* should make vigorous and

1. V.R.R. Dikshitar : Mauryan Polity;
K.V. Rangaswami Aiyangar 'Raja Dharma.'

ruthless preparations to attack the enemy and to vanquish him[1]

The Ethics of the battlefield are conceived in the loftiest spirit, and all great political thinkers in ancient India like Kautilya Commended righteousness even in diplomacy War was something similar to 'the performance of a *vedic* sacrifice and the laws of war were laid down very meticulously for the sovereigns to obey as a religious law Astrologers and soothsayers observed various omens and predicted the good and bad results foretold by the omens, and there was a punctilious observance by the king of all the ceremonials and ordinances laid down by *Dharma Yuddha*, beginning with the march at the auspicious hour down to victory and the consolidation of the fruits of victory

Prisoners of war were accorded generous treatment The fruit and flower gardens temples and places of public worship were to be left unmolested[2] In case the defeated king were to meet with death in the field of battle, his son or nearest relative was to be installed on the throne on terms of subordinate alliance[3] The leaders of the conquered country were to be conciliated Public benefactors like peasants and husbandmen were to be protected from all injury and harassment

The services of the *Purohit* and of the learned,

1 Artha Sastra Bk VII Ch 16
2 Artha Sastra Bk XIII Ch 4
3 Artha Sastra Bk VII, 16 VII 5

whose only profession was ministering to the religious and spiritual needs of the community were to be honoured with lavish gifts, for it was their guiding hand backed by their power of *Tapas* and *Mantras* that reinforced the *Astrabāhu Balam* of the sovereign and ensured him victory in the field of battle.[1] It is an injunction of Kautilya that *Sāstra Balam* combined with *Sastra Balam* leads to the success of the State. *Sāstrānugata Sastritam Atyantam Ajitam Jayati*. Accordingly, Kautilya assigns an importance place to *Purohita* as distinct from the *Mantri Parishad* in the edifice of the State and counsels the *Vijigishu* to regard the *Purohita* as his sheet-anchor in war as one who *Uditodita Kula Sīlam Shadange Vēde Nimittē Danda Mithyām Abhivinītam Apadām Daiva Mānushīnam Atharvabhih Upāyaīscha Pratikartāram Kurvita*.[2]

As contrasted with *Dharma Vijaya*, Kautilya mentions of *Lobha Vijaya* and *Asura Vijaya* under the category of *Kūtayuddha* which is an acknowledgment of an unrighteous war, and the sacrifice of all principles of international morality on the alter of expediency. It was a method of warfare which permitted the use of deadly weapons against the enemy, often in the form of intrigue, poison, charms and spells, necromancy, magic and sorcery, incendiarism and incantations. *Kūta Yuddha* had the sanction of *Atharva Veda*, and Kautilya as an able exponent of *Vedic* ritual and of *Atharva Veda* accepts this mode of warfare only, as a defence and of retaliation against the enemy of the

1 Artha Sastra Bk I, Ch 9
2. V R R Dikshitar The War in Ancient India.

Vijigishu. For, the all-conquering hero, should be able to rise to any occasion and meet even the challenge of cunning and intrigue by similar methods. The baser methods of diplomacy, as stirring rebellions in the enemy country, by attacks at night, surprises, devastations, murders and assasinations, and by *Maya* and *Indra Jala* all were covered within the category of *Kūta Yuddha*.[1] :—

Trayobhi Yoktaro Dharma Lobhāsura Vijayina Iti.

Kautilya distinguishes the *Dharma Vijayi* from *Lobha* and *Asura Vijayi* and between the war of righteousness and unrighteousness. Two kinds of *Adharmic* war and victory were *Asura* and *Lobha Vijaya* and the *Asura* form was the worst, as *Asura Yuddha* permitted illegal and forbidden methods of vanquishing the enemy, and securing the victory through the most unscrupulous, and heinous means; and accordingly, Kautilya advises inferior powers by offer of land and wealth to pacify such a conqueror *Bhūmidravya Putra Dara Prānaharanena Asuravijayi Tushyati*; covetousness, envy, jealousy and hatred and above all the motives of exploitations characterised *Lobhavijayi*, "*Bhūmidravya Haranena Lobhavijayitushyati.*"

As Kautilya gives elaborate details of *Kūta Yuddha* there is a misapprehension that unrighteous and irreligious wars had his sanction and approval. But as a political thinker, Kautilya had to investigate every aspect of human polity including human

1. Artha Sastra Bk. XII, Ch 1 Ch. 2.

pugnacity and war and comment on their relative values

The application of unscrupulous means was recommended in internal affairs of a State only against those persons who were inimical to the sovereign and who were engaged in activities that were likely to subvert the social order[1] Kautilya denounces the cynical advice of *Bharadwaja* a previous political writer who recommends usurpation of the throne by his minister if his king were to die in a foreign land as opposed both to righteousness and to accepted rule He deprecates similarly a king's dev ation from the practices sanctioned by tradition in inter statal relationships

When the advantages to be derived from going to war are of a dubious character, Kautilya enjoins the prince to remain at peace for war may bring about loss of power, and *Vigraha* being equal *Sandhi* should be made because *Vigraha* leads to loss of men and money[2] There are references in *Artha Sastra* to weak States being protected instead of being attacked by powerful kings to the existence of a course of action called *Samsraya* that of taking the help of a powerful king whenever the State was threatened by a powerful enemy[3]

It is expressly laid down by Kautilya that *writs* are the root of *Sandhi* and *Vigraha* between States, and

1 Artha Sastra V Chapter 2
2 Ibid VII 2 The Calcutta Review Sept 1924 p 13
3 Artha Sastra VII 5

he affirms that peace depending on honesty or oath alone is immutable in this and in the next world. Kautilya condemns a fight with a righteous king, because thereby he incurs the displeasure of his own people.[1] He enjoins humane treatment of *Dandopanata* by *Dandopanāyin* (Dominator) and warns him against transgression of his obligations to the submitter. Any breach of the pact may agitate the whole Statal circle to actions for the destruction of the dominator and provoke even his own ministers to attempt on his life or deprive him of his kingdom.[2]

Kautilya stands up for right as against might, when he deals in his system about the restoration of peace in a conquered country.[3] He recommends humanity, justice, benevolence and regard for the people's religious feelings as essential qualities to be demonstrated in a conquered country. Kautilya says A country should be given complete security so that the people may sleep without fear. The king should cover up the faults of the enemy by his own virtues He should undertake measures which contribute to the general welfare and prosperity........'.....After prohibiting customs which may appear unrighteous or injurious to the State revenue or to an efficient system of administration, he should establish righteous laws and customs.[4]

Kautilya condemned unrighteous war and

1. Artha Sastra VIII. 13.
2. Artha Sastra VIII. 16.
3 The Calcutta Review Sept. 1924 p.12
4 Artha Sastra XIII. 4.

incendiarism and inhuman methods of destruction. Retaliation in return for unprovoked aggression was an old maxim in Indian thought confirmed by tradition and approved by predecessors of Kautilya. He was a close follower of *Atharva Veda*[1], and the conception of *Dharma* as an invitation to perform the highest tasks consistent with the changing character of society had his approval. Dharma is relativistic and evolutionary and thus transcends dogmatism and certitudes of society, and is inspired by the One *Reality* pervading and penetrating the entire Universe, to act according to which is desirable, moral and conducive to fulfilment, and to go against which is undesirable, and to end in frustration. *Dharma* is not an absolute and fixed standard of right and wrong, for, society is the field of operation of relativity and finitude and always makes for the struggle of opposites motivated and directed towards a higher synthesis Social order is a creatively planning order and *Dharma* has to be re-discovered in the context of the ever changing flux of time and circumstances, stages and conditions, traditions and abilities. *Dharma* is relative to time, place and circumstances, and it found its greatest expression in the *Varnāshramic* ideal of the social system in the country. This relativism of *Dharma* is not opportunism, for, the root of relativism is *meta political* and is determined by a purified reason or conscience *of the desireless Nispraha, non-attached Tirtha, the* symbol of a fully integrated personality.[2] Kautilya,

1. Artha Sastra Bk. XIII Ch. 4.
2. K.P. Mukherji : The State, Appendix, 1.

when he endorses a traditional practice or rejects it on moral grounds, in the context of contemporary events and inspired by the highest motives of social solidarity and perfect happiness and beatitude he is trying to integrate political theory with some type of perennial philosophy.

The weapons of war in Kautilya's times were not so totally devastating commensurate with the fearful motives of the belligerants. Kautilya divides weapons into *immovable* machines, and *movable* machines as bows and arrows, swords, razor-like weapons, weapons like ploughshare, armours for men, elephants, chariots and horses, delusive contrivances and powders of destruction. *Arthasastra* mentions of four kinds of bow, made of different materials and likewise, of fine varieties of arrows *Sakti* and *Kunta* weapons with edges like ploughshares belonged to a variety of javelin and spear. Kautilya calls *Gada*, *Musala* and *Yasti* as movable machines. Axes ware regarded as thunderbolt. The *Asiyasti* was a dagger. He records more than twenty-five weapons popular in his time whose significance and use in the field of battle cannot be determined easily or ascertained. Kautilya gives numerous formulae for the preparation of fire missiles and asphyxiating smoke and powdered materials.

Kautilya furnishes definite information even as ragards defensive weapons and indicates that each limb of the body had a special protective armour. The army was divided into different sections and each

section bore a distinct flag of its own and these flags and banners, trumpets and drums designated the nature of the unit of military organisation. Kautilya while classifying organisation for defence, gives a vivid and thrilling account of the fastnesses of nature, man-made fortifications, water fortifications, mountain, desert and forest fortifications, which some like those of *Pataliputra* the capital of Chandragupta had a fort nine and half miles long, with 1270 yards width, with a moat of sixty feet deep and two hundred yards wide and with 570 towers over the rampart and 64 gates.[1] That the Hindus were the first to discover *firearms*, is borne out by Kautilya's discription of formulae of ingredients that composed highly inflammable powders; *Devadāru*, turpentine, lac combined with the dung of camel and goat and others were inflammable *Agnidhāranah*[2]; charcoal, wax, powder of metals, lead, flowers of Devdāru, oil, wax, turpentine likewise had the same effect as saltpetre charcoal and sulphur. *Agnisāstra* was known already during the time of Kautilya and the movable and immovable machines which *Arthasastra* mentions were intended both for storming forts, by flaming missiles as well as for defending fortresses.

The army organisation was in the form of *Chaturanga* devised as a game of war with *Astapada* board as the field of battle. There was the traditional fourfold army of infantry, chariots, elephants and cavalry

1. Cambridge History of India Vol. I, page 411.
2. Date : Art of War in Ancient India P. 40.

which were increased later to eight-fold division inclusive of transport, commissariat, navy and advisers. The chariot had become an indispensable instrument of war and *Arthasastra* mentions of *Rathādhyaksha*[1]. Superintendent of chariots and describes in great detail, the manifold duties of the Superintendent. The chariots were of six varieties, two wheeled, fourwheeled and eight-wheeled, hugely built and drawn by oxen to the battle field where oxen were removed and horses known for their speed were put in harness. Elephants too were equally an important force of war and were under the control of *Hastkādhyaksha*, Superintendent of elephants. *Arthasastra* reveals that the science of catching, training of elephants for warfare, equipped with all the accoutrements of war had reached perfection. The *Bhadra*, *Mandā* and *Avara*, classes of elephants had differentiated training suited to their tempers and quality. The battle of Hydaspes against Alexander had impressed foreigners about the magnitude of danger involved in a war with well trained elephants and chariots. The elephants and horses were looked after by veterinary surgeons in special stables built for them and with all the minuteness of attention that could be given to them by a regular official hierarchy. *Hasthyādhayaksha* and *Asvadhyaksha* were great dignitaries in the Mauryan Empire and their duties were as onerous and responsible as those of Cabinet ministers. The infantry consisted of *Moula* hereditary troops, *Bhrta* mercenaries, *Sreni* guild army and *Mitra*

1. Artha Sastra Bk. II. 33.

armymen of friendly states and deserters, and *Atavi* men recruited from forest tribes. Kautilya in addition to these great divisions makes mention of war council, departments of war finance, Arsenal, commissariat, Intelligence department and foreign departments, and a hierarchy of army officers with clearly well-defined duties to prevent overlapping of functions

Expeditions were usually undertaken between the months of December and March, and seasonal and regional considerations determined the nature of long and short marches, and expeditions, and also the specific nature of the work assigned to each army division The relative strength of each part was assessed and co-ordinated with others. Army manoeuvres skillfully arranged by competent commanders were decisive factors in military strategy, and Kautilya gives, as in the case of *Mahabharata* a vivid description of arrays *Vyuhas* and arrangement of forces in the field of battle There were four kinds of arrays *Vyuhas*, *Danda*, *Bhoga*, *Mandala* and *Asamhata* : *Danda* was classified into seventeen varieties, *Asamhata* into three and the other two forms into four varieties, *Mandala* had *Syena*, *Sochi*, *Sanata*, *Makara*, *Vajra* and *Ardhachandrika* variety. The arrangements *Chaturangabala* were *Arista* with chariots in front, *Acala* with infantry, cavalry chariots and elephants in order, *Apratihata* with elephants in front, *Madhya Bhedi* with chariots in flank and *Anter Bhedi* with elephants in flank.[1]

The methods of warfare were according to the

1 V R. Dikshitar. War in Ancient India.

nature of weapons used, as *Dāivika*, *Asura* and *Manusha*. According to the manner of fighting, the modes were *Prakāsa*, *Kūta* and *Tūshni*, open warfare, treacherous warfare and silent or propaganda warfare, that of spreading disaffection among the enemy forces, Kautilya gives in his *Arthasastra* a marvellously clear picture of the March[1]; and of the nature of the military camp and arrangements made by the commander for the protection of the king and the army against surprise attack.[2] Physicians and surgeons looked after the sick and the wounded ; the armies retired to rest after sunset, and offered prayers at the break of dawn. Kautilya says that kings and the allies in order to secure their triumph in the field of battle should observe in their encampment, the strict rules of self, denial, liberality and religion.[3]

It is a cardinal axiom of Inter-Statal diplomacy in ancient India that war should not be undertaken for the purpose of aggression and when only all other means and expedients of polity as *Sama*, *Bhēda Danda* were completely exhausted and war appeared inevitable, then, it was incumbent on the *Vijigīshu* to fight the war to a successful end. Righteousness in warfare was always commended and it was the injunction of *Bhisma* to *Yudhisthira*, never to desire to subjugate the earth by unrighteous means, even if such

1. Artha Sastra X : 2.
2. Artha Sastra XII : 3,
3. Artha Sastra IV : 2.

subjugation would make him master of the whole earth. But the *Āpāddharma* sections in the Mahabharata constitute the triumph of expediency in Inter-Statal affairs

There was the enunciation of the doctrine of 'Balance' of Power and the history of Indian State-craft reveals that this doctrine dominated the whole theory of Inter-Statal relationships. They are treated from the point of view of *Vijigīshu,* the would-be conqueror being placed in a *Mandala* or circle of States. The ethics of war was of a high order, and war fought for a righteous cause was justly praised, and the soldier was enjoined not to betray his conscience for any material gain Even the instruments of war and methods of warfare were not to be base, and the use of barbed or poisoned weapons was forbidden, and mechanical contrivances which involved wholesale and total destruction of life and property were condemned. War was to be conducted on the basis of equality in status, strength and armoury of the combatants on both sides, and warriors dispossessed of arms and weapons or in supplication, were to be honoured, as women, the aged and the young. All human considerations were actually brought into practice in the kind treatment of the defeated and vanquished countries and their populations, and the practice of Ethics reached its high water mark during the period of the Epics and of the *Arthasastra* and *Dharmasastras.* The sacredness and inviolability of the person and property of the ambassadors were recogni-

1. Mahabharata Santiparva XCVI 1-8.

sed, and the kings who maltreated the ambassadors and killed them, were condemned to hell and ever lasting runishment.

Negotiation, persuasion, conciliation and threat of war were the attributes of diplomacy, *Naya* and he who was proficient in *Naya* and the implications of diplomacy, was the conqueror of the earth. *Navagnah Prthvī Jayati*. The *Vijigīshu* was the centre of diplomacy, disciplined by *Purohita*, and invested with six attributes, *Sadgunya* cleverness of speech, readiness in providing means, intelligence, memory, acquaintance with politics and morals. The *Vijigishu* was to adopt the seven means of vanquishing the enemy, sowing dissensions, chestisement, conciliation, gifts, incantation, medicine and magic.

Though Kautilya discusses *Kanika Bhāradhvaja*, he was not his follower, for the Kautilyan code, unlike *Kanikas's* was not vitiated by intrigues and cruelty in total disregard of humane and moral considerations. Conquest to Kautilya was not an end in itself, victory was to be counter-balanced by responsibilities and acquisitions, by the necessity of having to provide for safe guarding them.[1]

The basis of diplomacy was distinguished by *Prakriti* which consisted of *Swami*, *Amayta*, *Janapada*, *Durga*, *Kosa*, *Danda* and *Mitra*. The *Swami* was the pivot of the whole system with great responsibilities, "*Suami Sampat*." The King was the centre of the *Saptāngā Tatkuta Sthāni Yohi Swami*. In Kautilya and *Kāmandaka*

1. Dikshitar . Hindu Administrative Institutions p. 274.

the term *Prakriti* denotes not merely the elements proper of a State but also of enemies[1] *Raja Rājamiti Prakriti Samkshepah.*

The Swami to dominate the *Prakriti* is to realise the unity and solidarity of the *Rāshtra* This unity depends on the maintenance of the efficiency of the administration and the policy of Government by the *Mantri Parishad,* prosperity of the *Rāshtra* by *Kosa,* defence of the State by the army *Danda,* maintenance of peace and security of the State by *Durga* and *Mitra* Kautilya has defined the limits of *Rāshtra* and as a composite of *Prakritis* separated by clear cut boundaries of other *Prakritis*; and the *Swami* as the apex of the whole structure to maintain peace, promote economic and material prosperity of the *Janapada* and to sedulously administer the *Prakritis* as the custodian of moral law and order, and create conditions of righteousness or of a life of morality, if not promote moral life itself. He appoints the *Purohita* and the ministers to administer and supervise provinces of government and social and economic life which he himself cannot personally supervise or administer. He must select great souls as ministers and allow justice to pursue relentlessly the wicked and the unrighteous *Yevan Dushtesh Vadharmkeshu ca Varteta Netareshu* The *Swami* is to protect the *Rāshtra* from *Upanipātas* and *Vyasanas* by constant vigilance, lest *Pramāda* and *Alāsya* in the State might undermine and subvert the foundation of the social and statal order.

1. Artha Sastra Book : V Ch. III and IV.

As the king's duties are heavy and fraught with great risks and responsibilities, he is enjoined by Kautilya to divide the day into eight *Nalikās* and observe his classified duties and studies accordingly. Scrutiny and examination of accounts, redress of grievances, study of Vedas *Trayi*, *Ānvikshikī*, logic and contemplation, interviews to heads of departments and receipts, negotiations and deliberations, diplomatic and inter-statal, secret discussions with spies, and organisation of espionage ; then, complete rest in the sixth *Nalikā* in the palace followed in the seventh and eighth *Nalikās* by secret and highly responsible consultations with generals and commanders of the *Chaturanga* army were the manifold responsibilities of the *Suami* during the day and night. Accordingly, an irresponsible and unmoral sovereignty was not tenable according to the *Artha Sāstra*.

The basis of diplomacy of Kautilya as distinguished from that of Machiavelli is rooted in moral responsibility and does not warrant the conception of immoral sovereignty. The catalogue of virtues expected of *Dharma Pravartaka*, of the ministers and counsellors of the Swami, the need of co-operative and well co-ordinated and concerted action on the part of the seven elements of sovereignty, and the inter-statal alliance on the basis of *Mandala* to ward off foreign danger and aggression and to promote the moral order, all indicate that the *Rāshtra* was conceived for righteousness and not for unrighteousness.

The Inter-Statal relationships are treated from

the point of view of *Vijigishu* who was placed in the centre of a *Mandala* According to a *Niti Sastra* writer mentioned by Kamandaka, the *Mandala* consisted of four sovereigns—the Vijigishu the *Ari* enemy, *Madhyama* potential friend or enemy and *Udasina* neutral *Madhyama* who belonged to the same diplomatic genus as *Udasina* and likewise closer to *Vijgishu* w s of greater potential importance than other States The idea of the *Mandala* according to *Aitareya Brahmana* seems to have originated from *Vedic* rituals while according to Kamandaka the *Mandala* was an invention of *Sukracharya* the *Purohita* of the *Asuras* The conception of twelve States with allies and enemies perhaps drawn from twelve day rite mentioned in the *Vedas*[1] *Ari* the enemy, *Mitra Prakriti* the friend of Vijigishu *Arimitra* friend of the enemy, *Mitra Mitra* friend of the friend of Vijigishu and *Arimitramitra* friend of the enemy s friend are the five kings in front of the Vijigishu Behind the Vijigishu, are *Parshnigraha* rear ward enemy *Ākranda* rearward friend *Parshnigraha Sara* friend of the rearward enemy *Ākranda Sastra* friend of the rearward friend The third and fourth categories in the *Mandala* were the *Mādhyama* and *Udasina* to meet emergencies or references to such powers

It is significant that *Vijigishu* and *Ari* in the centre should have different *Mandalas* of other States on the circumference of the Mandala, determined by laws of attraction and repulsion and as inevitable and as invisible as the laws that move stellar constellations Accordingly, the conception of *Mandala* was

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dynamic subject to growth and development or deterioration and decay. Each one of the independent rules as *Ari*, *Mitra*, *Madhyama* and *Udāsina* like the *Vijigīshu* was the centre of a circle animated likewise with *Mantra-sakti*, *Utsāha Sakti* and *Prabhu Sakti* endowed with intellect, treasury and valour to launch upon dynamic action. Each one of the twelve kings in the *Mandala* possessed the five elemements of sovereignty, and thus contributed sixty elements to the *Mandala State.*[1]

It was a problem for the *Vijigīshu* how to manipulate the members of the *Mandala* to the best promotion of his own interests by all possible combinations and permutations. The *Vijigīshu* was to overcome all the members, by means of the four expedients *Sāma Dāna Bheda* and *Danda* ; and as universal conquest was not always possible it was necessary for the *Swāmi* to conclude alliances or observe neutrality. The possible attitudes that he could adopt were *Sâdgunya* Six measures of Policy alliance, war, marching, halting, dividing the army and seeking protection. The six-fold policy depended on the nature of the seventy-two elements of the *Mandala States*, and as this was a piece of diplomatic manoeuvre, there was naturally the exaltation of the status and office of ministers who played singularly remarkable role in the maintenance of the balance of power.

Kautilya was the greatest exponent of the doctrine of *Sādgunya* which consisted of *Sandhi*, *Vigraha*, *Asana*. *Yāna Smsraya* friendship and *Dvāidhībhāva*, duplicity.[2] The conditions that determined the course of action were

1. Date · Art of War in Ancient India.
2. Dikshitar : War in Ancient India.

Daiva and *Manusha*, and the providential element could be *Naya* or *Anaya*, favourable or otherwise ; while the *Manusha* element was either *Naya* equitable or *Apanaya* in-equitable. Kautilya enjoins that the conditions and circumstances of action must be weighed in the balance of *Kshaya*, *Sthana* and *Vriddhi*[1] before a course of action is undertaken.

Kautilya realised that *War* was an *evil*, and accordingly enjoined the *Swami* to resort to any policy which would ensure the harmony and solidarity of the *Mandala*. Alliances, *Samsraya*, should be sought with good kings and consistently maintained Peace must be maintained with equals and superiors; otherwise, it would be like "the collision of unbaked mud vessels causing mutual destruction" or of foot soldiers fighting elephants[2] The alliances contracted with inferior powers were of various kinds : surrender *Atmamisa*, hostage, *Purushantra*, withdrawal *Adrstapurusha* money *Parikraya*, heavy charges *Upagraha* and *Suvarna* cessation of land *Adista* and homage *Paribhushana* The *Vijgishu* could contract *Calasandhi*, or *Sthitarasandhi* , temporary or permanent alliances These could be in the form of *Mitrasandhi*, *Hiranyasandhi* *Bhumisandhi*, *Karmasandhi* or *Anavasita Sandhi*, colonisation of unskilled tracts The terms of peace could be unspecific or specific.

Kautilya, the superb statesman of strategy and diplomatics, attaches greater importance to diplomatic *Sangramika* rather than to an armed contest. In the

1 Artha Sastra Bk. VI, Ch 2
2 Artha Sastra Bk. VIII, Ch 3

ties. *Upēksha* is mentioned in *Arthasāstra* as an expedient of *Udāsina* attitude, but the very reference itself indicates the great advances that had been made in the Science of Diplomatics by affirming that a neutral power by *cultivating* a policy of indifference to active preparations on either side of the belligerent parties would actively contribute to suspension or cessation of hostilities, and thus would bring about the promotion of the Ethics of International law. Threats of aggression by superior powers very often unprovoked could be warded off or neutralised not by active and valourous opposition but by a policy of *Upeksha* and absolute indifference even to movements of enemy troops within the country; and by cultivating the supreme virtues of patience and endurance against the worst provocation.

The doctrine of *Upeksha* was emphasized later on, as one of the cardinal tenets of neutrality by Kamandaka in his *Nitisara*[1] and by the Puranas, like the *Matsya Purana*; likewise, they all recommend to neutral powers when confronted with unprovoked aggression to resort to the diplomatic policy of *Upēksha*. There is a noble statement by Kautilya in the *Vyasanādhikāra* section of his *Arthasastra*[2]. As Kautilya does not commend the expedient of *Upeksha* to be adopted by the *Vijigīshu*, but to be adopted only by the *inferior powers*, *Upeksha*, *Māya* and *Indrajāla* are not

1. Kamandaka Nitisāra Ch. 11.
2. Artha Sāstra Bk. VII 18.
V.R.R. Dikshitar : War in Ancient India.

spoken of by Kautilya as integral aspects of the policy of *Bheda*.

The execeedingly complex and momentous character of diplomatic relations and negotiations of the day, invested envoys, messengers and spies with great importance and made them a regular and indispensable adjunct of diplomatics, in theory and practice. The envoy was a diplomatic officer lent to the Court of another prince to represent the interests of his master. He was a *Prakāsa Dūta* as distinguished from *Cāra* and *Gūdha Purusha* who were secret agents. He was entrusted with the work of issuing ultimatums, gaining friends, of intriguing and spreading disaffection. The ambassadors were of three classes[1] *Nisrstārtha* with miscellaneous functions, fully equipped for the great responsibilities of diplomacy, with profound knowledge of the sciences; industrious, pure-hearted, devoted, unflinchingly loyal, being born of good family and with readiness for action and for self-sacrifice and martyrdom; the second class was known as *Parimitārtha*, assigned with a definite mission; the third class was *Sāsanaharas* who were merely carriers of Royal writs.

The spies were under the control of envoys and were responsible to them for their movements The main duty of *Gūdha Purusha* was to collect information of importance in the enemy's territory and to report to the government of his country. The spy had to

1. Artha Sāstra Bk. I. 16.

be as swift as the wind and as energetic as the sun. Kautilya's nine-fold classification of spies is an illuminating commentary on the high level of diplomatics of his Age. He mentions of spies as *Kāpalika* disguised as a disciple, *Udāsthita* as a recluse *Grhapatika* as setting up a household, *Vaidehaka* playing the merchant *Tāpasa* as an ascetic, *Satri* as a student, *Tikshna* as an incendiary, *Rasada* a prisoner and *Bhikshuki* a mendicant woman.[1]

It was an inviolable and unalterable law that the King should not slay an envoy under any circumstances. Having gathered information, the envoy could ask for permission to return home; and if further stay would imperil his life or jeopardise the interests of his kingdom, he could even return without permission. This responsible office was not the exclusive monopoly of any caste but was open to all men and women of talent and who could satisfy the necessary qualifications. The King was to accept reports submitted not by one spy only but accruing from three different sources, independent of one another[2] There was a regular secret service department; and there were five kinds of espionage *Samsthās*, to which cultivators, traders, orphans, firebrands and Brahmin widows *Parivrājaka Spies*, all who were not much of a success in their own avocations were recruited and made to spy on the departments and the officials, and on the general conduct of administration These spies furnished info-

1. Artha Sastra Bk X Ch 2
   Artha Sastra Bk. I Ch. 11
2. V R R. Dikshitar . War in Ancient India.

rmation to the king either by *Samjna Lipi* or *Gūdhalekhya*; and their responsibilities and obligations were of such an order that the safety of the king, the weal or woe of the *Sāmrājya* entirely depended on the honesty and accuracy of report and on the integrity of thir devotion to the *Rāshtra*.

There was a formidable system of espionage, and not even the army and the navy could escape immunity from the invigilation of the spies. The infantry, cavalry, chariots, the elephants and their commanders, the *Adhyakshās* of the navy and the hierarchy of officers, the captains of sea-going vessels on ocean routes *Samudra Samyāna Pathā*, and on river and coastal routes, *Kulapathā* too, came under the ubiquitous examination of the spies. All these complexities of organisation were found necessary in order to keep the *Mandala* '*Visuddha*' pure, and which would become *Asuddha* with the surreptitous introduction of obstructive elements by hostile agencies and spies,' and accordingly the whole political game consisted in the nice adjustment of balance of power among the surrounding states[1]. This demanded eternal vigilance and anticipation of aggression even from the most unexpected quarters. *Kamandaka* the great follower of Kautilyan School of diplomacy likens "the *Mandala* to the outer rim of the wheel connecting the spokes radiating from the axle. If the axle is strong and sound it would be capable of holding the spokes and the rim in place, in the course of the wheel's revolution. Any weakness in the hub of the wheel would be disastrous." It was therefore, the duty of the *Vijigīshu* to

1. V.R R. Dikshitar : War in Ancient India.

keep the wheel of his *Mandala* pure and free from obstruction, for the great problem of the *Suāmi* was how to maintain the strength of the axle and preserve its centripetal character. Such a sovereign who was able to maintain the equillibrium of the *Mandala* would be the author of the world-order *Rājasya Jagato Hētuh.*

The *Vijigīshu* to be really the conqueror of the world, *Chaturānta Mahīm* had to abandon lustfulness, falsehood and keep away from unrighteousness.

The reception of what is condemned is desire; and anger consists in oppressing the good, since both these are productive of many evils, both of them are held to be the worst evils. Hence, he who is possessed of discretion, should associate with the aged, and after controlling his passions, abandon both anger and desire which are destructive of the very basis of life [1] The Raja can realise *Sanārtha Siddhih* only when he practices virtuous life.[2] As virtue is the basis of wealth and as enjoyment is the end of wealth, success consists in achieving that kind of wealth[3] which promotes virtue.

Dharmamūlatvāt Kāmaphalatvāt Charthasya Dharmārtha Kamānubandha Ya Arthasya Siddhih, Sarvārtha Siddhih "

1. Artha Sastra Book VIII, Ch. 3
   Asatam Pragrahah kāmah, kōpaschavagrahah satam
   Vyasanam Dosa bāhulyāt atyantamubhayam matam.
   Tasmāt kōpascha kāmam cha vyasanārambhamātmavān
   Parithya Jet mūlaharam *vriddha sevi jitēndriyah.*
2. Artha Sāstra Book IX Ch 7
3. Artha Sāstra Book III Ch. 15

The *Vijīgishu* with the aid of his own people and party, power of deliberation, the treasury and the army should get rid of the clutches of his enemies and overpower them. 'The army, *Kosa* and the resources of the *Vijigīshu* were to be employed only against the wicked and not against the virtuous princes; *Yevam Dushtēsvadharmi Kēshu Chavartēta Netarēshu.* Even this conquest is for the dedication to the people, for, the four *Purushārathas* are unified, contained and realised in the service of the people. The earthly wisdom, unlimited earthly power and glory are the legitimate ambition of kings, but these are the foundations for a dynamic and exalted life of righteousness, which is to be preferred to the ascetic ideal of utter renunciation and other worldliness.

Dharma must have to materialise itself in *Rāshtra*; and property, law, justice and duty are to be concretely realised through *Rāshtra.* The total population were to be comprehended in the two categories of *Varna* and *Ashrama,* and as soon as *Prajā* was organised into a State in any part of the world, *Varnāshrama* would spontaneously emerge into being; then, *Svadharma* would lead to *Varnāshrama Dharma* indicating coexistent phenomena in the social world; for *Varnāshrama* was a political concept, and from the aspect of *Praja* was identical with *Rāshtra.*

The Scheme of *Varna* did not imply a gradation in rank and privilege; certain immunities arose from members discharging certain functions and duties; and this scheme of privileges and immu-

nity on one side was balanced by corresponding duty on the other, because economic and social advantages were divorced, and did not go together The plan stressed the vital importance of knowledge and dedicated a small section of the population to these duties and sterilised it economically Protection was emphasised next to knowledge, and wealth next to protection Everything was envisaged in the plan so that trade and industry which formed the occupation of the bulk of the population flourished and developed without distraction The motive of segregation in groups set apart for defence and culture was to prevent renunciation of their duties by men who found the duties irksome, otherwise society would starve if each Order neglected its *svadharma* and encroached on the others The universality of this scheme made for its being planted and nourished in enemy countries by *Vijigishu* The essence of conquest and *Chaturanta Mahim* was the consolidation of the *Varnashrama* plan in the conquered world, so that a life of progressive rise in righteousness ultimately fulfilled in self realisation could be accomplished

As a radical moralisation of mankind was impossible and the State would not always be bound by law, the conflict between the ethical and the national world was eternal and peace and war were merely alternating phases of this ceaseless struggle Machiavelli regarded that War was a school of patriotism and a medicine for sick people And if undertaken for supreme national purposes it was wholesome and elevating, and consequently, in deciding on war the State had

to consider its own interests and nothing else. The pursuit of such a policy might achieve a temporary triumph but it provided no foundation for enduring happiness, prosperity or security of a State. The Cult of power only led to the twin evils of the idolatry of the State and the glorification of War. Mankind was far too profoundly concerned in right and wrong, in mercy and cruelty, in justice and oppression, to accept the cult of power or favour a teacher who even for a scientific purpose of his own, forgot the awful difference.

Complete moralisation of politics was too much to expect, but it was an inescapable fact that brute force would slowly retreat before the conception of the reign of law and the growth of the sentiment of human solidarity. Man could not get away from the idea of right, while it was common place that the self-regarding action of a State would not always pay; and with developing intelligence and consciousness, there would be the growth of the feeling that the best chance of survival, lay in intelligent co-operation for common ends.

Accordingly, Kautilya thought that it was of the highest importance, that the methods to be adopted to realise the reign of law, based on the organised opinion of mankind, agreed with religion and morality; that with the growth of the sense of the community, preference for the method of the beast rather than that of moralised humanity in Statecraft and diplomacy conducted in interstate matters, with an utter disregard

of the ordinary standards of morality, would be rejected as inoperative in international relations.

Kautilya made this manifest when he ordained that the *Vijigīshu* should be humane in his treatment of kings, given to a life of *Dharma* and righteousness. He sustained the conviction that society rested on moral and spiritual foundations, and was animated by the ideals of righteousness and peace that were preached through the Ages. For, the individual was always found to be more naturally disposed towards *Dharma* and beneficient action than towards selfish actions and *Adharma*; and thus political philosophy and metaphysics were all along regarded, as an expression of faith in the ultimate sanity of man and his capacity for spiritual growth. *Vijnāneswara* who wrote the *Mitākshara* in the twelfth century, nearly fifteen hundred years after Kautilya, reiterated the fundamental relationship between politics and morals in the words *Dharmasāstrāntaragatameva Rājanītilakshanām Artha Sāstram*. There was to be no divorce between politics and *Dharma*; and *Artha* was always made to subserve moral life. Seers and prophets through the Ages have discerned and proclaimed the unity of mankind and of morals over the whole field, and it was the general acceptance of this doctrine in the past that accounted for the horror of wars in general and an appeal for the unity of all in the common pursuit of *Dharma*.

CHAPTER X

KAUTILYA'S CONCEPTION OF LAW AND ADMINISTRATION.

The object of Aristotle was to re-adapt Law to the promotion of virtue and noble living.[1] Reason was the principle which inspired the social organism and this was embodied in Law. Reason made articulate was Law. It was free from prejudice and was the public conscience of the community. Aristotle says in his Ethics[2] Law is reason without desire. Law has on the one hand, a compelling power; and constraint is a voluntary one. Law is moral compulsion which freemen can impose upon themselves. It has two voices, a voice of stern compulsion: it is the higher self of the citizen. Therefore, the lawgiver is a moral teacher of righteousness. His duty is to preserve the acts that ought to be done and also to reveal and inspire in man the true motives of action.

Law was not a code of prohibitions, nor was it limited to the corrective justice of the law Courts. Its range was wider than morality itself, and institutions were the creations of law; traditions and customs rested on its sanction All ideas of society were moulded by it and Law was blended with religion, with morality and public opinion and by its subtle operation subjected the society to its will.

1. Newman Politics of Aristotle Vol. I p. 478
2 Nicomachaen Ethics . X, 10.

Law was invested with spiritual efficacy and power. Law was a divine element immanent in human nature. Aristotle notes that the worst fault of untempered democracy was its lawlessness, and the reign of arbitrary will and thus entailing a condition of negation of freedom, the dethronement of reason and the predominance of clashing impulses.[1] Plato says in his Laws VI, 702 "The service of the Laws is also the service of the Gods, a service in which to obey is nobler than to rule"; and this implied the voluntary subordination of the individual will to the will of the community.

Kautilya too, like Aristotle holds frank companionship with thoughts that had paralysed early Sastrakaras into inactivity. We feel in *Artha Sastra* that we are in an upper and serener air in which man's spiritual and intellectual freedom through a *Dharmic* state is assured. Like the Greeks, the Hindus too had to fight for the Law as for their King, for Law was their supreme master, and they neither praised the life of anarchy nor the life of despotism. Unblest freedom was not the Greek conception of freedom nor that of Kautilya. Kautilya is the interpreter of *Neo Aryanism* against the nihilistic anarchy of Buddhism, as Aristotle was the interpreter of Hellenism as against prevalent barbarism. Kautilya, like Aristotle, in the name of *Dharma* appeals to the sense of honour and of duty and to human dignity, to moral responsibility and to enlightened patriotism.

1. Aristotle's Politics, VIII, 9.

Neither tyranny nor *Arajaka*, but ordered liberty satisfied Kautilya and this implied a delicate adjustment, and of combination of principles apparently opposite, and of harmonising conflicting claims; for the Hindus like the Greeks, possessed a sense of flexibility and a faculty of compromise.

Kautilya knew that the State which revolves within its breast, only social and religious problems was bound to be weak politically. The Aryans in order to make the religious conquest of the world, had not emphasized the importance of social cohesion and co-ordination through political integration. Kautilya realized, like Aristotle, that the State integrated under a strong government could be a great civilizer and the disturber and regenerator of slumbering societies, and at the same time, the source of most of the quickening ideas which remake societies and renovate literature and art. The two tendencies summed up in Brahmanical Hinduism and Buddhism often regarded as opposing and irreconcilable forces, are perfectly harmonized in Kautilya, for Buddhism stood for freedom for society, freedom for the individual and freedom for thought, while Brahmanical Hinduism stood for supremacy of mind over sense, of spirit over matter.

Kautilya's conception of Law was in keeping with his conception of Politics freed from the trammels of irrationalism. Law was not an expression of the common will of the people, and all Hindu law-givers agreed in prefering the origin of law as *Sruti*.

Whatever knowledge that was not syllogistically worked out but was derived by flashes of intuition, was regarded as inspired knowledge; and customs like-wise which had been handed down from the past were also sacred. Historically, tradition and usage were the primary sources of the foundation of Law. *Smrti* as a source of Law referred to *Sila*, practices and recollections of those who knew the *Vedas* as sources of law.

The authority of long established custom was never questioned by any society, Greek or Roman, and all regarded that Law was something which all men ought to obey, chiefly because every law was devised and given by God, and made intelligible by its being resolved by intelligent men. Law was invariably looked upon as founded on the twin roots of religion and on agreement of men learned in sacred lore. Thus, the community always revered the Assemblies of wise men and vested authority in them. The greatest importance was given to *Sishtāchāra*, viz., practices of men who knew the *Vedas* and who acted in society, not from any obvious earthly motives but with a spirit of altruism and of conformity to *Dharma*. *Sishtas* are described by Baudhayana as those who are free from desire '*Raga Dveshādi Parithyāga*' who are free from envy, from pride, contented with a store of grain sufficient for ten days, free from covetousness, free from hypocrisy, greed, perplexity and anger; who in accordance with the sacred law have studied the *Veda* together with its appendages, who know how to draw inferences from them and are able to adduce proofs

perceptible by the senses and free from the revealed texts [1]

This description of *Sista* envisages true Brahmanical character which was devotion to God and parents good temper freedom from jealousy and bitterness fair speaking gratitude, piety, and tranquility *Achara* indicated practices which sought to follow practices of previous good men Though custom and practices looked authoritarian the abrogative function of custom was bound to develop in the absence of any effective repealing agency which was to adapt *Dharma* to progressive popular opinion *Narada* and *Yagnavalkya* specifically mention that *Dharma* which was condemned by people should not be followed [2] According to Kautilya the sayings of learned men along with *Vedas Puranas Ithihasas Nyaya* and *Anga* were all sources of *Dharma* All these studies were regarded as the completion of the *Vedic* knowledge and so far as any of them gave any guidance it was entitled to be looked upon as a foundation for *Dharma* Kautilya mentions of *Anviksiki Samkhya Yoga* and *Lokayata* sciences applied to matters of religion and

1 Baudhayana I 1 5
American Journal of Oriental Society December 1928
Among the Dharmasastras of Baudhayana
Apastamba Vasista, Narada Manu Yagnavalkya
Vishnu and Gautama Kautilya seems to have used
Baudhayana only Meyers E nlectung

2 Yagnavalkya p 180 Ed by Bapu Sastri Moghe

'aw[1]. The Secular body of law founded partly on custom and partly on the authority of the various texts was also recognised as a source of *Dharma* which was understood as a property of the soul. *Atmagunah Dharma*. Secular law existed side by side with sacred law. Outside the pale of sacred law, persons were governed by their own customs and by the ordinances of their own communal organisation; and the king was required to maintain the *Samayas* as well as whatever were their religious customs and institutions.

Law was related to the environment, the social and legal institutions of the times, the social ends and ideas and the entire culture of the Age. Social ends determined the content of law, and the relativity of law to ends extended from content even to form and source. The sources of law were pre-eminently determined by the ends contemplated by the society to which the law applied and varied with a change in social ends and ideas.

Kautilya recognised the importance of rational law or king's law and its priority to *Dharma*, *Vyavahara*, and *Chantra*. The king's law was to be in accordance with the injunctions of the triple *Vedas* wherein the four *Varnas* and *Ashramas* are defined ; the king could not overlook caste duties which were eternal. But he could make laws and these were only regulatory laws and not laws substantive which would make him

1. Kautilya : Book III, Ch. I
Book I Ch. III

arbitrary. The king could promulgate fresh laws but these could be done by superseding the Sastras, when the new laws had their basic principles rooted in *Dharma*. The judges well versed in the *Dharmasastras* could demand conformity to *Dharma*, but as the judges were at the mercy of the king, the interpretations of the law could be liberal and the king as in the case of Emperor Asoka could turn out to be a legislator rigorously enforcing the protection of animal life and seriously circumscribing the liberty of the orthodox.

Law was rationalistic, in the sense, a rule or behaviour to which men were to conform, was itself a part of the natural order of things. The Greeks too believed in *Thamis*, laws as ordained by Heaven, or nature, *Dike* that which was abstractly right, and *Nomos*, secular laws originating either in established usage or Governmental enactment. The greater part of Greek law as Indian law was unwritten, being reduced to concrete activisation by *ad hoc* pronouncements of magistrates specially revered for learning and wisdom. Law was common sense and right reason in the form of specific rules of human action.

Kantaka Sodhana

Kautilya makes a clear distinction between civil law *Dharmasthiya* and penal law, *Kantaka Sodhana* Three ministers of the king *amatyas* and three learned men acquainted with sacred law *Dharmastas* were required to carry on the administration of justice. They determined cases relating to duels robbery and disputes among trade guilds. They distinguished

between valid and invalid transactions, declared the offences of *Parokta* and *Drista Dosa* and *Svayamvada* as faulty and *Anuyoga*, honesty *arjava*, evidence *hetu* and assertion by oath *Sapatha* as important steps for success. *Arthasadhaka*.

Penal law was a part of public law, and all such rules of law that concerned the functions of administration in relation to administrative authorities among themselves and in the relation of the administration with artisans. labour unions *Sanghas*, trader merchant associations and foreigners, were regarded *Kantaka Sodhana* Law.[1] It was intended to carry out the king's law in its minutest details, regulate the administrative organisations of the *Rashtra* and determine the rules of law relative to the activity of the administrative authorities. It was to indicate the right of *Karuka silpa ganah* which the ministers were to respect and thus delimit the sphere of action of the administration so far as the unions and corporations of artisans were concerned; it was also a method of offering individual remedies for the violation of the rights of corporations. *Kantaka Sodhana* was manifestly something more comprehensive than a body of penal sanctions which were applied to all the castes and corporations. There commissioners *Pradeshtarah*

1. *Kantakas* are artisans
Tamil and Malayalam commentary
Ganapathy Sastri Bk. II Ch. IV
Kantakah : prajapidakarthvat, kantakatulyah karukarai-dehukadayah tesham sodhanam.
Artha Sastra : Bk. II Ch. IV *Aryan vareyeth desapidanah.*

were required to deal with measures to suppress disturbance to peace. Persons learned in customary and sacred law had no place in adjudication of penal cases, as *Kantaka Sodhana* was secular and vitally connected with day to day measures of administration and *Rajasasana*. Weavers washermen, scavengers, medical practitioners, musicians, beggars and buffoons who were all thieves in effect though not in name by cultivating fradulent practices, were restrained from oppression on the country. The individual was protected-against the malpractices of merchants. The Superintendent of Commerce supervised weights and measures to prevent deception, secured an equitable distribution of commodities, centralised sales in cases of urgency and fixed the percentage of profit to the merchants and regulated prices of commodities on consideration of their outlay, quantity, amount of toll, hire and other kinds of accessory expenses. The king was to provide remedies against such calamities as fire, floods, pestilences, famines, wild beasts and spirits and demons. Against calamities *upanipate pratikarah*, Kautilya suggests not only physical but also supernatural remedies. *Atharvavedavido Mayayogavido va karmani kuryuh*

In exercising remedies, the king had to protect the afflicted among his people as a father his sons *Sarvatra Chopahatan pitevanugrhniyat* The commissioner *Samaharta* was to protect the people against the wickedness of *gudhajivi* whose avocations were foul and were carried out in a insidious and mysterious manner. Kautilya mentions of thirteen kinds of

criminals who secretly while attempting[1] to live by foul means destroy the peace of the *Rashtra*. Kautilya commends the employment of even ascetic spies to detect youths of criminal propensities.[2] Persons whose *family subsists on slender means of inheritance*, who frequently change their residence, caste and names, who conceal their own avocations and take to luxurious modes of life, who are excessively attached to women, squander away their money, and whose destination and transactions are difficult to understand, had to be apprehended on suspicion.[3] Criminals had to be seized on suspicion or in the very act or on the basis of circumstantial evidence by officers like *pradeshta, sthanika, and nagarika* in charge of a fortified town. But the production of conclusive evidence was necessary before the accused was charged by the offence and punishment meted out to him *samaptakaranam niyamayet*.[4]

Kautilya denounces acts of murder or inducement to murder under infatuation of love, anger or other sinful passions. Suicide under the influence of passions is likewise deprecated, as life is sacred, and what is intended for dedication to service being violently removed due to personal infatuation. Accordingly, bodies of such persons or of those who

1. Artha Sastra Bk IV Ch. 3
2. Artha Sastra Bk. IV Ch. 3 & 4
3. Artha Sastra Bk. IV Ch. 6 'Sankarupakarmabhi grahah.
4. Artha Sastra Bk. IV Ch. VIII 'Vakyakarmanuyogah.

induced suicide should be dragged along the public road by the hands of *Chandalas* and obsequies denied to them in order to demonstrate to the people the ugliness and immorality of suicide. *Ghatayet svaya matmanam stri va papena mohita*[1]. Though different kinds of tortures were employed to extract confession, women, the weak and the infirm and those who made confessions of their own accord were exempted from torture; but no difference was observed between the castes as regards punishment for crimes, and even Brahman offenders were branded to a wound and the nature of their crime was proclaimed in public and they were banished or sent to the mines for life.

Kautilya advocates the infliction of very severe penalties on government officers and others who were guilty of misappropriation or of damage to state property, like granaries, treasure, mines and manufactories. Issue or use of unauthorised orders by officers was punished in proportion to the gravity of the crime; even the judges were punished for intimidation, unnecessary inquiries and delay in the dischrage of duty, evasion and imposition of unjust corporal punishment. The king was required to test the conduct of government servants and then, through those officers of approved character had to examine the conduct of his people both in towns and villages. It was the duty of the commissioners to determine the

1. Artha Sastra' Bk. IV Ch. VII.

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1. Artha Sástra Bk IV Ch. VII.

propriety of imposing fines in lieu of mutilation of limbs, taking into consideration, the social position of persons, the nature of the offence and of the cause that led to the perpetration of the offence, the antecedent and present circumstances, time and place and equitable distinctions among offenders. Kautilya devotes two interesting chapters for the discussion of the status and freedom of women in society and the meting out of punishment for violating justice. Traders and merchants were protected against individuals and government servants ; likewise, mature and immature women were protected from the sinister designs of the wicked. The Superintendents of land *Chorarajjukas* and even the people of the locality were required to make good, losses of merchandise sustained by traders and merchants ; thus the latter were assured absolute security of person and property.[1] Kautilya recommends likewise, elaborate measures to detect crimes from seditious persons or those guilty of treason against the king.

By means of *Dharmasthiya* and *Kantaka Sodhana* law and administration, the *Swami* had to consolidate his kingdom and exercise benevolent but absolute sovereignty over the *Rastra*. Animated by enlarged ideas of ethnic and territorial unity, the *Swami* entered upon the realisation of a positive policy and endeavoured to bring under one sovereignty and under one administration, all fragments of territory and people that

1. Artha Sastra Bk. IV Ch. 13

formed a natural whole for purposes of commerce, social intercourse and defence. To accomplish this purpose, the *Swami* entered upon a career of aggression which necessitated a perfect internal cohesion; and accordingly, all interests, family and religion were subordinated to *Swami* and centralised administration ; and divine qualities were imputed to the king by the wise men *pragna* and he was encouraged to assert absolute powers in all matters of government and society as crises and emergencies demanded strength, vigour, energy of action, promptness of decision, unity of counsel, continuity and consistency of policy. The real work of the administration had to be done by ministers of the bureaucracy, with a permanent status and tenure and selected for their administrative capacity, tact and resourcefulness. Cöordination, regulation and control, initiative and encouragement were the functions of ministers and heads of departments, and the entire hierarchy of officers was to achieve good and efficient administration by undivided counsel, promptness of decisions and a consistent policy.

Accordingly, the responsibilities of *amatyas*, *anujivi*, *brhtyas* and others who were all dedicated to the service of the *Swami* were great and heavy. The king's moods were to be closely followed by the courtiers and difficult situations had to be overcome by great vigilance, tact and care.. The courtier had always to guard the king's interest and his own interestsa nd others in conformity to the principles of righteousness

and economy[1] The courtier was to avoid evil aspersions against others and he should not ascribe evil to others, he should forgive evil done to himself and to develop as much forbearance as the earth. *Kshmavan prithivisamah*, for, the life of a courtier under the service of a king was like life in fire *Agnaviva hi samprokta vritti rajopajivinam* He was to endeavour to arrest the fall of the king into evil habits and save him from the intrigues, plots and deceptions of enemies *Mantra samvaranarthmacharanti pragnah* When *artha* and honour were discontinued by the king, the minister was to abandon such a king; but if the king was a *silamatmanamscha*, the minister was to rectify his own defects and loyally serve the king.

The responsibilities of the ministers at the time of the apprehended death of the king were grave, as apathy and neglect on their part would involve the state in peril. Accordingly, to Kautilya, the ministers like the philosopher kings of Plato were the inspiration and the fundamental urge of state activity; they were the props of the king's authority, and they guided his destiny which was bound up with the state's destiny with a firm hand, conducting the administration themselves. In times of grave crisis and national calamity, when the report of the death

1. Artha Sastra Bk V Ch IV
Abhinakalam rajartham svartham priya hitaih; saparartham desakale cha bruyath Dharmarthasamhitam; pristah priyhitam bruyath, Nabruyath Ahitam priyam; Apriyam va hitam bruyath

of the *swami* would imperil the kingdom, the ministers played the role of national conscience and of Providence and averted *rajyavyasanas* in the form of enemy invasions by great courage and statesmanship The army and the treasury had to be safeguarded, cognates princes and other chiefs of the royal family had to be withdrawn from the capital and sent on difficult expeditions, wild tribes, disaffected elements and neighbouring kings who threatened invasions had to be conciliated the heir apparent then had to be brought out of the palace and displayed before the public and then, the burdens of administration transferred to his shoulders

Bharadvaja advocates usurpation of authority by the minister in times of disputed succession *svayam rajyam grnhiyat* and the minister was not to discard what had of its own accord fallen to his hands, for, then, the people would say that a woman making love of her own accord will when discarded curse the man *Svayam arudha hi stri tyajyamanabhi shapatiti Loka pravadah*[1] Kautilya recommends that the minister should invest himself with the powers of sovereignty during the interregnum in order to consolidate the kingdom *evamekaisvaryamatyah karayet* but it is unrighteous to do an act which excites popular fury The minister was to instal in the kingdom such a prince who possessed kingly qualities *rajaputramatya sampanam rajya sthapayet*, with the help of *mahamatras* and members

1 Artha Sastra Bk V Ch 5

of the royal family.[1] He was to address them thus: Look at the father of this boy as well as to your own valour and descent; this *Kumara* is only a flag and yourselves are the lords[2] The minister was thus to persuade the *yogapurushas* to an acceptance of his choice should commend the minister's lead in the matter with the sacred object of protecting the kingdom. *Ko anyah bhavatpurogatasmat ragnaschaturvarnyam arhati palayetum iti*. It was open to the ministers after having consolidated the kingdom and taught the new *swami* in the principles of polity illustrated from *Itihasa* and *Purana*, to seek retirement from active life and migrate to the woods in the garb of an accomplished ascetic for contemplation, *Aranyam Dhirgasatram va seveta.*[3]

Kautilya is a great exponent of the doctrine of the rule of the aristocracy in the Aristotleian sense of the rule of the noblest and the best. The aristocracy of ministers was to serve *swāmi* loyally, and to immolate themselves at his altar if need be; but normally, the ministers were *swami's* guides and the custodians of his conscience.

1. Artha Sastra Bk. V Ch. 5.
'Rajya pratisandhanamekaisvarya cha'
2. Artha Sastra Bk. Ch. 6
Ayam vo nikshepah, pitarasyavaksha dvam, sachvabhijaanmatmanamscha dvajamatro.—Ayam, Bhavanta yeva Swaminah
3. Artha Sastra Bk. V Ch. 6

CHAPTER XI

BUREAUCRATIC GOVERNMENT IN THE ARTHA SASTRA

Aristotle accepts the government by the aristocracy as the best of the forms of government Aristotle's dealing with Revolutions and their causes, is very objective and provides a code of conduct for oligarchs and monarchs to keep themselves in power, when once power is gained and resorting to what is expedient and necessary, according to the nature of the situation. Espionage, employment of women spies, apparent manifestation of zeal in religion without making piety seem artificial and insincere, conferment of favours on devotees, infliction of punishment through the agency of magistrates and the law Courts, eternal vigilance against the hand of the assassin, and remorselesness in getting rid of traitors and malefactors-were some of the methods however morally reprehensible were commended both by Aristotle and Kautilya as the necessary preservatives of authority. At the same time, both of them also state that the government should be rooted and grounded in the heart and will of the people and that there should be a pre-established harmony between the people and the government.

Again, according to Aristotle, the State is not an association existing for the protection of rights only, for the increase of wealth, for the development

of trade and for the extension of Empire. The State is an union or brotherhood of equal men who are prepared to rule and to be ruled. The people are not brought together by force or fear, but are animated by a single aim to live the noblest life, of which man is capable, and they should be unimpeded in the exercise of the highest qualities moral and intellectual. Those only were capable of membership who could live for noble ends ; those souls and bodies were not by nature complete, or inadequate to the great demands that were made on them of those who were marred by sordid or engrossing occupations, and could not become organic parts of the community, and were therefore fitted only for lower and ministerial functions. Aristotle excluded from citizenship, certain classes of the population on the ground that their employment were degrading and he made no secret of his contempt for manual and industrial labour.

Aristotle lays stress on the ubiquitous and penetrating influence of the state and the vast forces at its disposal. The State has the general task of regeneration To this end, it must reorganise the whole industrial and economic system and marshall men in new groups and combinations assigning to each its special functions. The state is to minister to the souls as well as to the bodies of its citizens. The welfare of the soul depends upon the harmony of its parts and their unanimity as to which shall rule. Plato speaks that the individual city can never be happy unless it is drawn by those painters who

copy a divine original. The well-being of the individual in this and the other world is determined by the principle or order which subdues the factors of disorder by the supermacy of the soul over the body and by the attainment of harmonious relationship between spirit and body and by the unanimity of the mortal and immortal selves within man, enjoining as to who shall rule. The spiritual and immortal part of man that lays down the law and is the defender of the community, as opposed to the appetitive part is postulated by Plato and Aristotle ; and this corresponds to Kautilya's division of the social orders into Brahmana, Kshatriya and Vaisya and the superiority of the sacred to the royal and Vaishya communities.

Accordingly to both the thinkers, the State appears as the soul to the body, and by salutary restrictions, the State will withdraw the facilities for vice, and it will remove many existing temptations by raising the standard of material prosperity. The State is an organism round whom emotion and living sentiments could gather and the individual citizens could feel that the State was not extraneous to them but that it was always in close and organic and living association with them.

The System of State Aid

The tendency all over the world has been to-day in the direction of State aid, State enterprise and State intervention while in countries, like Russia, the State has become a 'Universal' provider. There has

been official interference in economic matters ; only the depth and area of that interference at any particular moment have been determined by the exigencies of the government and the public opinion of the citizens.

In ancient India, there was an active encouragement to industries, agriculture and commerce by the State. The welfare of the State was promoted by abundant supply of raw materials as well as manufactured goods ; and the state gave active assistance to agriculturists and manufacturers and to traders and merchants. It is remarkable that the State's ideal of public and social duty towards the subjects was very high. The State-aid comprised of state's initiative in starting private industries, experiemntal in character, making the provision of expert scientific advice and commercial intelligence. Possible as well as instructions of the people by propoganda. Protection, discriminative or otherwise, and direct financial assistance were given by means of loans or subsidies to stimulate production, and grants of land, and supply of materials, and water on favourable terms and machinery and tools were other means of protection.

The concept of State itself and the Coronation ritual in the midst of minute regulations of life and conduct and in the midst of a maze of cermonials and elaborate rituals both indicated the importance of the duty of protection and promotion of the welfare of the people. The paternalistic interference was

the goal of all state control and management The State was to protect life and property and to further these material aspects of life It had a monopoly in some of the important key industries as mining and manufacture of Salt It gave direct assistance to weaving arts, agriculture, and dairy produce It gave special protection to artisans and weavers, by imposing heavy penalties on those who did harm to any of these classes The State remitted taxes under certain circumstance and exempted certain persons from the payment of taxes, in order to encourage the production and supply of commodities

From the earliest times the care for the economic well being of the people was one of the foremost duties laid on the King In the *Yajurveda* the priest addresses the king before the inauguration, 'O Lord, here is thy kingdom , be thou its ruler and guide , remain steadfast in thy position thou art here to see that agriculture may flourish and prosperity of the country may remain unbounded, that the people may be wealthy and that there may be proper nourishment of the people '[1] In the *Atharva Veda*, a subject of *Parikshat*, singing the praises of the sovereign, states that agriculture and husbandry were in a propserous condition that peace and happiness reigned in the kingdom and that scarcity was hardly known[2]

The essentially agricultural economy of the *Vedic*

1. Sukla Yajur Samhita IX 22
2 Yaj Sam XXII 22

period reveals that great attention was given to all requirements of the agriculturists. The post-Vedic and Epic periods, when there was centralisation of power in the hands of the monarch, were also the Age of guild enterprise, and of the transition from individual enterprise to that of corporate activity, and this ultimately paved the way for the rise of State-control in economic organisation. Agricultural industry was still prominent, and stocks were kept in Royal granaries, to ward off public distress; and the king directed the retention of half the annual produce for the relief of distress; and provided poor persons with food and seed corn to enable them to start farming. There are references in the Buddhistic period to the Congregation of people of identical trades or occupations in the same areas and forming corporate organisations like *Gana Sreni, Pūga* and *Sangha*, which were the best expression of the harmony between labour and capital. The king recognised the customs, laws and regulations, and even the validity of *Jati Dharma* of the autonomous organisations.[1] These guilds had a chief *Jettaka, Pamukka*, sometimes *Rājavallabha*. In the later described as period, the guild leaders were known as *Mahāsetti, Anusetti, Uttarasetti* and these were rich capitalists and bankers who were held in high esteem by the towns men and kings.[2]

1. Gautama XI. 20, 21
   Vasishta : 17
2. Rhys Davids. Buddhist India p. 97

The *Mahā setti* was the president of the Industrial and Banking organisations of the city, and he represented their interests in the Royal Council, and also acted as a Royal Servant, and *Councillor* and *Adviser*. Business contracts were sacred and were enforced by the State, and non-payment of debts was punished by imprisonment or reduction to slavery ; and in the case of the Buddhists, Ordination and admission to the Buddhistic Order were denied to those who were guilty of liabilities. All the sections of the community who were engaged in the production of wealth were taxed except *Srotriyas*, women of all castes, children before puberty, students and ascetics, diseased persons and low class servants. The artisans were protected from State exactions.

The king's functions were very extensive so as to include even finding out the means of subsistence for the people and help forward their economic interests, maintain those without means, and relieve distress. The State was more *social* than *political*, and there was State interference in the economic activities of the State. There were Royal Mines and Forests and there was State regulation of prices and profits. *Jātakas* mention of *Aggha Kāraka* as valuing everything on behalf of the King. Weights and measures came to be regulated by the State under the supervision of a Royal official. The State intervened with regard to labour problems and wages, and the *Dharmasastras* mention of stringent regulations to check the exorbitant demands of the bperso and foraulrunishing servants in tillage who abandoned their work and

thereby caused losses to the employer. There were laws which were directed against mendicancy or beggary. At the same time, the labour classes were looked after; and artisans were exempted from taxation so that they might pursue their occupations without pressure from taxation. Manu says 'there is no tax on a livelihood gained by art." Even the commercial classes seem to have received direct encouragement from the State.

It becomes clear from the study of the *Jātakas* and of the history of the post-Buddhistic period, that the factors and forces that determined the policy of State-interference in the economic life of the people of the Mauryan period were being shaped and made operative during the centuries preceding the Mauryas. The other aspects of economic life that received attention and were cultivated and promoted in the Age of the Mauryas, refer to what the Epics describe as *Trivarga Dharma, Artha* and *Kāma* comprising all human wants and desires underlying all human effort.

The conception of *Pālana* peculiar to Indian thought, implies the direct active assistance to individual and group effort by the State as well as indirect assistance in the form of maintenance of peace and justice. The science of *Vārta* dealing with all the branches of production was given great prominence along with the study of sacred lore and *Ānvikshiki*. Both the Ramayana and Mahabharata

describe *Varta* as the source of life[1] as the basis or root of this Universe[*] and comprising of agriculture cattle-rearing and trade as source of the life of the world and as upholding the Universe[3] The King was described as a thief if he failed to carry out the contractual duty attached to his office *Valshadbhag at aslara* but the King who carried out his duties was akin to divinity He was the father and mother to his subjects and their greatest well wisher *Raja Mata Pitacl ana Raja Hitakaro Nrnam*

This paternal ideal of royalty dominating the Epics of the Ramayana and the Mahabharata was employed as *tour de force* of the politics of the Unity and Solidarity of the *Rastra* during the Mauryan period Kautilya the prophet of the Mauryan State made the functions of the State more *soc al* and *eco om c* than *political* Kautilya advises the State to give active assistance to agriculture by advancing not only seeds and cattle but also money[4] The *suami* shall con struct reservoirs filled with water either perennial or drawn from some other source He may provide with sites roads timber and other necessary things needed for construction of reservoirs[5] The king should himself construct new irrigation works and canals and maintain them The king shall carry on

1 Ramayana Ayodhya Khanda Ch 103
2 Mahabharata Santi Parva Ch 59 68
3 Mahabharata Vana Parva Ch 67 SL 30 31
4 Artha Sastra Bk II Ch 1
5 Bk II Ch 2

mining operations and manufactures and will set up market towns. He shall protect agriculture from the molestation of oppressive fines, forced labour and taxes, and he shall protect herds of cattle from thieves, tigers, poisonous creatures and cattle diseases. He had to provide for pasture grounds and keep in good condition, timber and elephant forests, buildings and mines created in the past, set up new ones and establish manufactories to prepare commodities out of these raw materials. The Superintendents of metals *'Lohadhyaksha'* shall carry on the manufacture of copper, lead, tin, mercury, bronze metal, sulphate of arsenic[1]. The manufacture of salt was a government monopoly Kautilya seems to have been impressed with the importance of mines as the source of the Treasury, and therefore he enjoins on the king to create several departments of State, and meticulously to supervise the work of mines and manufactories *Ākāra Prabhavah Kosah Kosāhdandāh Prajāyate Prithvi Kosabhushana*[2]

"Mines are the source of the treasury, from treasury comes the power of the Government, and the earth whose ornament is the treasury is acquired by means of treasury and the army."

To augment the resources of the treasury, Kautilya asks the king to encourage foreign trade and to exempt the traders from harassment of local taxes, and even being sued for debts. Mariners and

1. Artha Sastra Bk. II Ch. 12
2. " " Bk. II Ch. 12

merchants who imported foreign merchandise were also to be favoured with remission of trade taxes so that they may derive some profit.

Famine Policy

During Famines, the King had to show favour to his people by providing them with seeds and provisions, encouraging emigration and agricultural projects and by protecting the agriculturists who were always regarded as sacred and inviolable and thus to be left unmolested even during wars. Irrigational work *Setubandha* containing perennial water was to be preferred to projects fed with uncertain sources of supply. Construction of tanks in barren tracts, wells, buildings for shelter, flower and fruit gardens, supply of materials to private persons for renovation of tanks, encouragement of the construction of reservoirs by private philanthrophy, remission of taxes for those helpful in irrigation policy, administration of famine relief, subsidies and loan, in kind, to the distressed agriculturists, gratuitous relief, and diversion of National wealth for the amelioration of the conditions of the poor and the needy agriculturist and others—were some of the main features of Kautilya's famine policy.

The States's policy towards labour was thorough and efficient. Those who conspired to lower the quality of the artisans, to hinder their income or obstruct their sale or purchase were punished; wages previously settled were to be paid and received as agreed upon and failure to pay wages according to contract, was punished with heavy fines.

The State controlled land and capital, labour and industry, nationalised and owned mines and industries and made adequate provision of subsistence for those who could not make a living or were out of employment, and thus it created an environment of greater economic liberty and wider and more satisfying fellowship The State s functions were unlimited and there was no assignable limits so far as the State aspired to be benevolent and helpful to the people intellectually, economically and socially During famines, the king should show favour to his people by providing them with seeds and provision Kautilya suggests the policy of thinning the rich by exacting excessive revenue or causing them to vomit *Vamanam* their accumulated wealth , favour might be shown by distributing either the king s collection of provisions or the hoarded income of the rich , the king might cause his subjects to grow grains vegetable roots and fruits where water was available[1] Fruit-bearing trees ought to be protected against molestation

It is interesting to note that Kautilya who recommends firmness courage and relentlessness in the King in the execution of policy is exquisitely tender with regard to *flora* and *fauna* of the land Causing pain to quadrupeds and cutting off the tender sprouts of fruit trees and flower[2] trees and shady

1 Artha Sastra Book II Ch 34 Book IV Ch 3
—do—Bk II Ch 24 Book II Ch 1

2 Artha Sastra Book III Ch XIX

trees were a punishable offence. Plants which bore flowers, fruits or provided shade were under the special care of the State and this policy was an acknowledgment of the operative principle of *Ahimsā* which made no distinction between human and sentient beings and other forms of creation. The difference between human beings and trees and flowers were only one of degree and not of kind; in matters of feeling. Manu has said "*Tamasa bahurūpēna vestına karma hetuna avantaha samgnā bhavantīti sukhadukha samanvıtāha.*

Kautilya recognises the importance of Power in politics for the acquisition and maintenance of wealth, which contributes to the richness of social life and happiness. The attainment of *Dharma Vimochana* depends upon the pattern of human relationships evolved spontaneously within the society by *Varna Āshrama existence*. The State of Kautilya has primarily a materialistic basis as when discussing the life of a saintly king, he observes that 'Wealth and wealth alone is important in as much as charity and desire depend upon wealth for their realisation.'[1] To Kautilya the science of *Vārta* was important, since on *Vārta* dealing with agriculture and trade, depended the power of the State to control its subjects and its external enemies.[2] Kautilya, in virtue of the etymology of *Vārtā* says that *Artha* is the *Vrıttı* of man, and it means the whole of human activity. *Artha*

1. Artha Sastra, Book 1. Ch. 7.
2. Artha Sastra, Book 1. Ch. 4.

raises the question of ends and *Vārta* that of means. *Vārta* comprehended within it, the most important divisions of economics in relation to practical administration as production, equitable distribution and convenience of transport. *Vārta* included agriculture, smithy, carpentry, reservation of produce, weights and measures, prices, wages and coinage, toll and transport, regulations, weaving and other forms of domestic industry for old and helpless women, widows, girls and orphans.

Financial Administration

Kautilya devotes a large part of his work to a description of finance and of the financial administration, town planning and fortifications and the organisation of a vast bureaucracy with thirty *Adhyakshās*, who constituted as the head of a highly complicated hierarchy of departments controlling the entire social, economic and religious activities of the people, and crowned at the top by *Swāmi*. The King is the apex of the pyramid and permeates the whole pyramid. There is an elaborate description of the organisation of the State with its territorial divisions, each with a certain fixed number of inhabitants and occupations, resources in cattle and land. *Durgajānapadasatyā Britya karma Samudāya pādena sthāpayēt.*[1] The divisions began with *grāma*, the unit of administration and ascended to *Sangrāhama, Kharvatika, Dronamukha*, and *Sthāniya*, each had its administrative head exercising authority as the replica of the Central government and obediently

1. Artha Sastra, Book V. Ch. 3.

carrying out into execution the various forms of law as *Agna Lekha, Upagrahalekha,* and others

Sir Brajendranath Seal says 'The Hindus no less than the Greeks have shared in the work of constructing scientific concepts and methods and in the investigation of physical phenomena as building up of a body of positive knowledge which has been applied to industrial technique, and Hindu scientific ideas and methodology influenced the course of natural philosophy in Asia—in the East as well as in the West[1] What is true of the positive sciences is also true of the social sciences of the Hindus Kautilya s Artha Sastra is not merely a theory of political economy, but it is also a treatise on applied finance, and it embodies the best teaching and the best thought of the time on Public finance

Kautilya's ideas on agriculture, on the importance of mining, manufacture, trade and commerce in the economic life of the community were in advance of Aristotle and the Greeks and the Romans who condemned commerce and trade and the taking of 'interest' He was far ahead of the Schoolmen and the clergy of the Middle Ages who condemned usury as opposed to the teaching of the Scriptures, ahead of the Mercantilists who held that the prosperity of the State could be kept up only by an excess of exports over imports, ahead of the Physiocrats who held

2 Sir Brajendranath Seal, Positive Sciences of the Ancient Hindus P 3

that only agriculture was truly productive and that the ultimate source of wealth and therefore the revenue of the State should be raised by a single direct tax levied upon land The system of taxation that Kautilya envisaged for the Mauryan State satisfies the canons of modern taxation and recognises the relativity of economic doctrines He anticipated the teachers of the Historical School when he rejected the absoluteness or cosmopolitanism of Economic Theory He did not believe that there was One Universal Law which is applicable to all conditions and all times He held that economic laws should be adapted to the changing conditions of time and place

Kautilya was a State Socialist in the sense that he stood for the maintenance of the authority of the State for the extension of its functions and not for the overthrow of the government and its institutions and thereby establish a Socialist State He regarded the maintenance of good government as a corrollary of social welfare , he laid down rules for the control of manufactures and commerce and to place them under the charge of Superintendents Civil and criminal laws both *substantive* and *adjectival* were to be promulgated and administered There were special measures to control labour and artisan classes, and to promote their interests , and transgression of those rules and regulations were punished very severely

Like Aristotle s State Kautilyan State was a Social Welfare State *Natma priyam h tam Rajanah Prajānam tu priyam hitam Kautilya says N tyadhikarah Karyasthe rajanah*

priya hite ratah There was to be exploitation of land mines and forests to promote wealth the State was to own industries and to plant new colonies to develop trade and commerce, to control prices and to perform other things incidental to a prosperous economy and to an augmentation of the national wealth of the State [1]

Kautilya was aware of the environment of the State and the resources it offered to human industry as mines, quarries the products of wells and springs field and forest fisheries of all kinds and animals both wild and domesticated He was convinced that a narrow range of production would fatally restrict progress in the arts and refinements of life and that the growth of civilization and security could be possible only in countries having a class of men who possessed the time the disposition and the means to observe and to investigate the various subjects upon which such growth depended as the facts of nature and the laws of the human mind As society could not move forward if every man was intensely absorbed in the struggle for physical existence what was imperative was the freedom of the men of leisure and of contemplation from the necessity of constant physical toil besides there was to be sufficient accumulation of wealth *But wealth depended upon* natural factors which did not compel man to undergo grinding toil to procure the means of material subsistence but left sufficient time to indulge the disposition to investigate and create

1 Artha Sastra Book I Ch 15

Accordingly, Kautilya regarded *Artha* as the supreme constitutent of *Danda* and directed himself to a meticulous examination of its nature and content. *He was not the Socialism which aimed at the modification or the destruction of the economic environment felt to be ethically evil, restrictive and oppressive, but at their improvement by specialised methods of economic resources,* of the country for human welfare. The *Adhyakashayaprakarana* mentions of Officers who had two-fold functions to perform ; to carry on the administration of the kingdom and to undertake and manage industries and trade on behalf of the State. The State was the owner of machinery and livestock, and *Sitadhyaksha* was the Superintendent of agriculture and was entrusted with the special duty of cultivating crown lands with the help of ordinary cultivators, landless labourers and *Ardha Sitah,* who paid one-fourth or one-fifth share of the produce as land rent. Nothing is said about the system of collection, but the Registers show that each cultivator paid direct to the official. The efficiency of the land revenue system was essential to the stability of government[1] Mauryan finance depended a great deal on land revenue and income drawn from royal domain and from the taxation on non-crown lands. There was qualified State landlordism.[2] There was the

1. J.R A S Jan. 1929, page 97.
2. V.A. Smith : Early History of India, p. 137
   Jayaswal : Hindu Polity, part II p. 174
   E J. Rapson : Cambridge History of India, Vol I p 475
   Ganapathi Sastri : Artha Sastra Vol. I p 287.

owner of the soil, and the land was prepared for cultivation and was given to *Karada* tax payers for cultivation and for life. Kautilya mentions of two kinds of tax as *Bhaga* land revenue and *Udakabhāga*. There seems to have existed private ownership of land also, as implied in the right of alienation by sale or mortgage.[1] Kautilya speaks of *parabhumi* for constructing buildings on sites belonging to others. The State encouraged the settlement and formation of new villages by inducing the surplus of any one area to migrate from the thickly populated centres, or by inducing foreigners to emigrate. The revenue consisted of *Shadbhaga*, water rates, octroi, tolls and custom duties.

The King's duty was to protect agriculture from the molestation of oppressive fines, forced labour and taxes.[2] Reserved, protected and unclassified forests were all a State monopoly ;[3] elephant forests and those producing teak, palmyra, bamboo, creepers, hemp, birch, rope material yielding plants and other things belonged to the king. Medicinal herbs, poisonous plants, skins of animals, plants yielding colouring material, bones. sinews, horns and hoofs of animals, metals as copper, lead, tin, bronze and utensils of bark, cane, clay, chemicals and ashes exclusively belonged to the *Swami*. Industries were worked with a view to manufacture, out of these

1. Artha Sastra · Book III, Ch. 9, Ch. II.
2. Artha Sastra Book III, Ch. 1
3. do „ II Ch. 2, 17

products, articles for ordinary consumption and for warfare ; and those who transgressed Industrial and Labour Laws were punished.

The revenue from minting of gold, silver and copper was great.[1] Mines were the other sources of the replenishment of the treasury[2] There were ocean and land mines and these were a State monopoly and were worked either directly by the State,[3] or jointly by the state and private companies. Permission was granted in some cases to private ventures. It was the duty of the State to Keep old mines in good order and to open new ones, and the King had to appoint officials for the working of the mines. The income from mines was derived from *Mula, bhāga*, premium of 5 percent, *pangha* testing, a share from the manufacture of goods from minerals, *Atyaya Sulka*, tolls, octroi, and *vaidharana* compensation for interfering with royal monopoly, and profits of coinage *rupa* and *rupika*.[4] The State enhanced its income from mines by manufacturing armaments, implements and weapons of war.[5]

The State reserved both mining and commerce in minerals and in mineral products, as a monopoly and

1. Artha Sastra, Book II Ch. 14
2. do ,, II. Ch 12
   Ākāra Prabhavah Kosah-Kosa dandah prajayāte.
3. Artha Sastra Book II Ch 1
4. Ganapathi Sastri Artha Sastra, Vol. I. p. 137
5. Artha Sastra, Book II, Ch. 1.

the King was advised to carry on mining operations so to avoid financial embarassments due to a depleted treasury.[1] There was a regular government monopoly in salt, and adulteration of salt was punished with the highest amercement, whether the guilty were *gṛhāsthas* or *vānaprasthas*. A Superintendent of Storehouses supervised the manufacture of oils; an officer collected tolls on merchandise, imported or exported. The *Sūtradhyakska* was to employ qualified persons to manufacture threads, clothes and ropes, Even mail armour were produced.[2] Those who manufactured fibrous cloths, silk raiment, woollen cloth and cotton fabrics were rewarded.[3] Labourers working overtime were given extra payment. Widows, cripples, girls, and mendicants were employed and special rewards were given for working on holidays.

The Superintendent of Liquor had to centralise or decentralise the sale of liquor according to demand and supply. The manufacture of liquor ferments and *Āsavas* was popular and though there was encouragement to drink, indecency and indecorous behaviour were severely punished. The State had a monopoly in liquor and private manufacturers were fined.

The Superintendent of Marines was to collect customs from fishermen, and passengers;[4] Ferry fees of

1. Artha Sastra, Book II, Ch I.
2. Artha Sastra, Book II, Ch. 23.
3. J.B O.R.S , Vol VI, p. 30
4. Artha Sastra, Book II. Ch. 28

all kinds indicated a brisk commercial life[1] The king exercised his right of ownership with regard to fishing ferrying and trading in oceans rivers reservoirs and lakes The Superintendent of Commerce *Panyadhakshya* was to secure home markets for the sale of the products of State manufactures and to provide facilities for their sale Foreign articles were also imported and these came from China Kāmarūpa Pāndya Simhala Kerala Barbara and other countries All foreign goods paid *Vartanam*[2] at the entry to the State harbours, *Dvaradaya* was also paid by merchants for import of commodities Kautilya says that both kinds of merchandise imported and exported shall be favourably sold to the people so that there is no large profit which is likely to harm them Kautilya regarded cornering of goods and the organisation of trusts with the object of cornering foodstuffs and commodities as a serious evil and ordained severe punishment for those merchants who united either to prevent the sale of merchandise or to sell or purchase commodities at higher prices[3] The State regulated the system of prices and profit by allowing a general profit of five percent over and above the fixed price in case of local commodities and ten percent in the case of foreign produce The State regulated the profit of the middlemen by punishing tendencies to enhance

1 Dr Radhakumud Mukherjee A History of Indian Shipping and Maritime activity p 106
2 Artha Sastra Book II Ch 21
3 N.N Law Studies in Ancient Hindu Polity, p 55

or lower prices. The losses incurred by merchants were made good by the State. Other sources of income were guilds of artisans and handicraftsmen, corporations and others which claimed special privileges. Undesirable foreigners *Bāhirikas* had to pay a a tax to enter[1] the city. The Census department helped the imposition of a small cess on every member of the family. There was a systematic registration of births and deaths and each house with its history, occupation, income and expenditure, found its entry in the State Register.

The income-tax from actors, dancers, musicians, jugglers, soothsayers, *Ganikas, Rūpadasis* and prostitutes was a large part of the revenues of the State. Taxtion was not progressive but proportional and like the *agaronomi* of Athens designating the price which each prostitute should take according to her class, the *Rupajivis* collected their fees from their visitors. An Excess profits Tax also was collected.[2] There was a general sales tax levied on sales in general. Auctioneers had to pay a tax on the sale and purchase of buildings.[3] When traders enhanced the value of the land or buildings, the increase over the usual price belonged to the State. The Superintendent of Slaughter-houses collected taxes from butchers and meat-sellers and regulated the supply and sale of meat. The Superintendent of Gambling,

1. Artha Sastra, Book II. Ch. 4.
2. Artha Sastra Bk. IV Ch. 6, 15 : Gopal : Mauryan Finance.
3. Artha Sastra Bk. II, Ch. 9

centralized gambling and regulated its operation. Pilgrims likewise had to pay *Yātrāvētana*. There were fixed benevolences and people had to pay for acts of affection : *Pranaya Kriyā*. All these illustrate that the State was over zealous in the collection of revenue from all possible sources so that the wealth so accumulated might be spent on the protection of the State from external and internal danger, and on social services and productive enterprises, as building of forts, roads, plantation of colonies, of villages, asylums, orphange and educational institutions [1]

The greatest vigilance and effective control were exercised by chief officials of State who also scrutinized the State income and expenditure. A formidable system of espionage was organised to ensure security against internal enemies, and against attempts to frustrate the benevolent policy of the king. There was constant replenishing of the treasury, for, a deficit followed by a depletion of the treasury was a signal to disaffection and to invasion from without. The governors of *Takshasila, Suvarnagiri, Ujjain, Kalinga, Tosali*, and *Samapā*, and officers designate as *Samāharta, Sthānika* and *Gopa, Rajjukas* and *Prādesikas* who were the heads of *Janapada Vibhāgās* and *Dronamukhas* and *Khārvētikas*, all were enjoined to keep eternal vigilance, and assist Government undertakings to keep the Treasury full.[2]

One finds in Aristotle's writings the great thoughts and reflections that have animated and moved the Races

1. Artha Sastra Bk. II, Ch. 1
2. Artha Sastra Bk. II, Ch. 35.

of mankind through the Ages Kautilya like Aristotle, the father of European Political Science thought also in terms of eternal verities, *developed a science of public* finance and public administration out of the merest rudiments and gave to the world the Artha Sastra a work of enduring value and universal application. Kautilya was even more advanced than Aristotle in his economic ideas, *for while Aristotle and the Greeks* condemned interest, trade and exchange, Kautilya recognised their use and importance in the economy of national life India was linked with the rest of the world and was placed on the main currents of the world s movements as a result of Alexander s invasion Kautilya saw the disintegration of economic and political ideas of the country as a result of rapid transitions from a predominently agrarian economy to a well balanced agrarian and industrial economy, and equally rapid fluctuations in the sources of revenue and the decline in agricultural taxes and the increasing importance of customs and income tax The *country had to suit its economy* to the developing conditions of Mauryan rule

Kautilya's Treatise judging even from modern standards is an authoritative Text on public finance, and perhaps the only work of its kind in classical antiquity unique *brilliant, objective and far seeing* Public finance is the mainstay of the Rashtra, for all undertakings depend upon finance[1] and from the

1 Artha Sastra Bk II Ch 8
Kosa Purvasarvārambhāh Tasmāt Purvam Kosamavēkshate

Treasury come the power of Government and the earth whose ornament is the treasury, is acquired by means of Treasury and Army[1] · A king with a depleted treasury will eat into the very vitality of both citizens and the country people[2]

The Treasury depended on revenue and taxes which were regarded as the wages of the Sovereign for services rendered in the protection of the people and the maintenance of law and order It is significant that a tax did not mean in the time of Kautilya, as it means today ' a compulsory contribution made to the State, *independent of any immediate quantitative* relations or not, between the tax paid by the individual and the service rendered to him by the State " The relationship was one of *Contract*[3] between the king and his people, and this contract theory of taxation consistent with Aryan *Dharmic* tradition, was a unique and distinctive feature of Indian public finance This relationship was so vital and sacred that the subject was entitled to claim refund of taxes, in cases of, even partial failure of protection The *Pauras* and *janapadas* were even prompted by the king s tenants to ask for concessions and remission of taxes if their territories were violated by raids, or if they were

1 Artha Sastra Bk II Ch 12

Prithvi Losadandābhyam
Prapyate Losa Bhushana

2 Artha Sastra Bk II Ch 1

Alpakosam hi Raja Paurajanapadaneva grasate

3 Artha Sastra Bk I Ch 13

molested by barbarians. The tie of allegiance was deemed dissolved, the moment the King failed to fulfil his duty of protection, and the subject was free to employ another master instead, or to threaten to migrate to the enemy country and transfer his allegiance.[1] Kautilya's Theory of Taxation was more like the modern theory of prices which is charged by a public authority for specific services rendered and commodities supplied by it. Taxes are paid compulsorily, but prices are paid voluntarily by private persons who enter into contracts, expressed or implied, with public authorities.

The Theory of Taxation propounded by Kautilya stood the test of modern criticism in so far as it satisfied the canons of and principles of taxation. The tax was certain and not arbitrary, and the time of payment, manner of payment, the quantity to be paid were all clear to the contributor and to every other citizen of the State. The land revenue was fixed at one-sixth share of the produce ; import and export duties were fixed on an *advalorem* basis. The general rate of import duty on foreign goods was 20 per cent or one-fifth of their value; likewise, merchandise imported or exported, were liable to payment of tolls on the same basis.[2] Transit duties, such as road cess, and ferry charges were fixed and discrimination was shown only in cases of goods borne on the list.[3] There

1. Bk XIII Chapter II Niranugrahah Parantra gachhāmah.
2. Artha Sastra Bk II Ch. 22
3. Artha Sastra Bk II Ch 21, 22.

was absolute certainty with regard to amount of tax on trades and professions and all tolls were determined after careful consideration.[1] *All arbitrary* exactions were condemned. It was a recognised principle that taxes should not be realised in a painful way or mode, and must be levied in proper time and place' just as fruits are gathered from a garden as often as they become ripe.[2] Revenues are to be collected as often as it becomes ripe and the citizen should not be made to feel taxation as burdensome; 'and the remissions and exemptions from taxes in certain cases were also based on the same principle. The government servants who increased the King's revenue by economic management were offered permanancy of tenure of service and other inducements, and it was a strict injunction that collectors should conduct the work of revenue collection in such a manner as to decrease expenditure and to increase revenues.[3]

A significant aspect of Kautilyan theory of taxation is the emphasis on equity and justice in taxation, and the requirement that the citizens of the State should contribute towards the support of the government as nearly as possible in proportion to their respective abilities. Kautilya realised that those who are rich have a large taxable capacity and those who are poor have less taxable capacity. Accordingly, the system of land revenue together with water rates was governed

1. Artha Sastra Bk: II, Ch. 12
2. Artha Sastra Bk. II, Ch. 12
3. Artha Sastra Bk. II, Ch. 9.

by the canon of benefit, and the rate of tax was increased in proportion to irrigation facilities offered by the State.[1] Ferry charges and toll dues, head charges on goods carried by men or quadrupeds conformed to the canon of equity in taxation Remission and exemptions as measures of relief in times of distress like wise, recognised the principle of justice in taxation. Learned *Brāhmanas* women, minors, students, diseased persons, dumb and blind, because of their incapacity to acquire property or make profits were exempted from taxation. But the Brahmans engaged in occupations proper to inferior castes, had to pay taxes.[2] A special Record of the remissions and exemptions was kept by the revenue collectors.[3]

There were two distinct classifications of revenue of the State. The first source of public income was derived from capital, such as excise duties, cotton goods, oil, liquors, metallic manufactures : taxes on ware-houses, guilds of artisans and duties collected at the gates. The duty varied from 1/10 to 1/20 and was fixed in view of the nature of the commodity. The income from country parts consisted of produce of State lands *Sita*, a share of produce payable to the Government *Bhāva*, by private individuals, religious taxes *Bali*, taxes paid in money *Kara*, and taxes paid by merchants, Superintendents of ferries, boats, and pasture grounds, *Vartani*. The third

1. Artha Sastra Bk. II Ch. 24.
2. Artha Sastra Bk. II Ch 28.
3 Artha Sastra Bk. II Ch. 35

source of income was from mines. Nine kinds of income were derived from mines: The out-put of mines *Mūlya*, a share of the output of mines privately owned *Vibhāga* the premium of five per cent *Vyādhi*, the testing charges of coins *Parigha*, tolls *Sulka*, fines, *Anyaya*, compensation for losses entailed on the King's commerce *Vāidharana*, fines according to the gravity of the offence *danda*, coinage charges *Rupa*[1] and a premium of eight per cent *Rūpika*. There were receipts from public works, flower gardens, fruit gardens and wet fields. The forest revenue was derived from the lease of forest lands for game or for sale of timber. The income from pastures consisted of dues paid to the State for grazing herds of animals, cows, horses, goats, sheep, asses, camels, and mules. The income from roads and traffic *Vanik Patha* consisted of tolls payable on land routes and water ways : *Vanikapatha Vāripathacha*.[2]

What strikes as most modern and corresponds to the modern system of classification of revenues and constitutes as significant and on original contribution of Kautilya to the study of public finance is his conception of *tax revenue* and *non tax-revenue*. Under the tax revenues are placed, land revenue and taxes on commerce. The tax revenue included taxes that are fixed, one-sixth of the produce, provisions paid by the people for the army, taxes paid for religious purposes, subsidies paid by vassal kings, and half yearly taxes

1. Artha Sastra Bk. II Ch. 12
2. Artha Sastra Bk. II Ch. 6.

Bhādrapadika and Vāsantika, taxes paid on the occasion of the birth of the Prince, presentations to the king, marginal taxes, compensations and taxes paid on land below tanks. The taxes on commerce included customs duties and duties on sales, taxes on 'trades and profession, and direct taxes.

The second head of non-tax revenue included produce of crown lands, sale proceeds of grains and the collection of interest in kind, or grain debts termed *Prayogapratyādānam,* profitable exchange of grains, barter, grains collected by special request : *Prāmityakam,* grains borrowed with promise to return the same *Āpamityakam,* profits of manufacture undertaken by the State, such as beverages, extraction of oil, manufacture of sugar cane *Sūkta-Karma Kshāra-Karma.*[1] There were certain minor sources of public income as interest on capital lent, escheats, fines, confiscations of property and arrears of revenue. Land tax and customs duties and excise duties on sales, formed the most important items of public revenue, and this was effectively maintained by the injunctions that the commodities should not be sold at the place of manufacture lest they should escape the tax on sales.

Land revenue was a principle source of income, and the King was never regarded as the owner of the land and he never claimed a right to the unearned increment of the land. Raja was only a *Bhūmi Pathih*

1. Artha Sastra Bk. II Ch. 15.

only in so far as he was to protect it and no more. As protector, the king was entitled to derive taxes from both 'land and water. The proprietory right of the sovereign derived no right from ancient lands and institutions of the Aryans, and was not recognised as exclusive or incompatible with individual ownership *Kutumbinām*[1]. There were different water charges for lands with different irrigation facilities. The domestic and foreign commerce were centralised and then distributed in several markets for sale. Commodities sold at the place of manufacture were liable to fines. The merchandise was marked with the State Stamp *Abhignāna Mudra* in *Sindhura* or vermillion, as a mark of identification, in order to detect counterfeit. Harmful or fruitless commodities were shut out, and those which were of special use were let in free of toll.[2] There were commodities intended for marriage. Goods taken by the bride from her parent's house, *Antāyanam*, commodities taken for the purpose of sacrificial performance, for confinment of women, *Yagnakrityā Prasavanimittikam*, for worship of gods, for ceremony of tonsure gift of cows and other special kinds of gifts were free of toll. Restrictive excise duties were also levied with the object of reducing harmful consumption of intoxicants, and Kautilya's objective was a high pressure of taxation coupled with continuous restriction of the facilities for obtaining intoxicants. There was minute control of liquor traffic by elaborate rules, and the sale was restricted to particular

1. Jayaswal : Hindu Polity : p. 182-183
2. Artha Sastra Bk. II, Ch. 21

persons and to fixed times and any small infringement was punished. Families were allowed *Svēta Surā*, White liquor for use in diseases, and the use of liquor for a period of four days were allowed on the occasions of festivals. A toll of five percent of the value was levied on all liquor other than that of the king. Fines as high as 600 panas were imposed on all offenders and spies were stationed in shops to ascertain whether the expenditure incurred by customers in the shops was ordinary or extraordinary. Certain professions as those, of actors, dancers, musicians, rope dancers *Plavaka* jugglers *Sambhika*, heralds and prostitutes, *Ganikas* were controlled in the interests of public morality, and they had to pay poll taxes, as slaves, labourers, prisoners and *Bahirikas*, tribes of foreign origin, paid to the State.

The salt tax was an important source of revenue and the tax was collected both in the form of rent at places of manufacture and in the form of shares of the produce *Lavana Bhāgam*. The tax was imposed on salt manufactured at home, and on that imported from abroad.

Kautilya devotes a few sections of his Artha Sastra for war taxation and introduces during period of emergency, an element of arbitrariness into his financial system. Times of famine, stress and war called for emergent contribution, for self-preservation was the main consideration, on such occasions and all else being subordinated to one Supreme objective. Kautilya realised that economic life exhibited

a continuous organic growth and thereby he affirmed the relativety of economic doctrines and concepts. Accordingly, during times of crisis, land revenue was raised from 1/6 to 1/4; grain was demanded in large quantities as well as cotton fabrics, silks, medicines, vegetables, fruits, fish and skins. Goldsmiths, prostitutes, merchants and traders, and even heads of religious institutions had to pay a heavy toll and were not exempted. Only learned *Brahmanās*, women, forest tribes and those who did great service in construction of fortifications and buildings were exempted from payment of extraordinary dues.

Kautilya advises the *Suami* in times of war to resort to war loans and other expedients Kautilya says in his sections *Kosābhisamharana* that the Collector-General shall seek subscriptions from citizens and country people ; persons taken to Commerce shall publicly pay handsome donations; wealthy persons may be requested to give as much of their gold as they can Those who of their own accord or with the intentions of doing good offer their wealth to the King shall be honoured with a rank in the Court, an umbrella or turban or some ornaments in return for their good *Yathopahāram Va Stavasā Vā Yadupahareyuh I Sthhnāscchatra Veshtinā vibhūshachaisām Hiranayēna Prājachet*

These demands of the King were not intended to be repaid and they were perpetual debts. But such demands had to be made only once and never twice *Stakrideva na dvi prayogah.*

The bureaucracy was a highly complex machinery, and wealth had to be distributed among them equitably in order to preserve the tranquility of the kingdom. These were ministers, *Amātyas*, *Mahāmatrās*, Superintendents of several departments, officers in-charge of boundaries of land and forts, revenue collectors, chamberlains, astrologers, sooth sayers, story-tellers, bards, spies, Commissioners, *Ganikās*, servants, *Yuktās*, *Upayuktās*, *Rajjuki* and *Prādesikās*. All had to be paid commensurate with their ability, the hazardous nature of the work and the service they rendered to the king. *Gopas*, *Sthanikas*, surgeons, physicians, and messengers were endowed with lands, which they had no right to alienate.[1] They were also given quarters to live in the North or the East of the Capital. There was grant of subsistence and wages to dependents of those who died while on duty.[2] The King undertook tours every year for the purpose of inquisitorial Inspection. Enormous sums of money were spent on the Royal Household *'Avarodhana'*.[3] The priest, sacrificial priest, teacher, Heir-apparent, mother of the

1. Artha Sastra Book V. Ch 3.
   Salaries were paid annually and they were in the following order :
   Ministers 48,000 panas, Collector General 24,000, Chief Constable 12,000, Commissioner of the City 12,000, Superintendents of departments 9,000, Accountants 500, Workman and servants 60, Spies 100, Servant spies 250, Mendicant women spies 500, (Pana is equivalent to 10 annas).
2. Artha Sastra Book II Ch. I
3. Artha Sastra Book V. Ch. 3

king and the queen were all paid 48,000 panas each. Playmates of the king, learned men and king's chamberlain and attendants were paid 1000 each; and the display of Royal splendour at Pataliputra compared with similar display at Susa, Etbatana, which were the Capitals of Persian rulers.

The solicitude of the King towards his people was like that of the father to his children.[1] The religious life of the people was supervised by *Dharma Mahā Matras* and *Vyustas* who were sent out in the time of Asoka as missionaries. The king constructed places of pilgrimage and for the retirement of *Vriddhas* and *Tirthas,* like *Punyasthana* and *Ārama*. These were also known as *Vihara Yatra,* later converted in the time of Asoka, to *Dharma Yatra*. The King spent large sums of money on public feasts, *samajas, utsavas* and *viharas* which were all modes of public entertainment organised with the object of harnessing loyalty to the sovereign while overtly they were festivals in honour of gods and ancestors.[2]

1. Artha Sastra Book IV. Ch. 3
   Sarvatra Chopahatān pitēvānu grihnīyāt.
   Asoka's Border Edict.
2. Artha Sastra Book II. Ch. 1

CHAPTER XII

SOME ASPECTS OF ARTHA SASTRA SOCIETY

Universities

Large sums of money were spent on learned men and educational institutions as universities and monasteries. Forests were set apart for the establishment of seats of learning, and the growing of *Soma* was entrusted to them. The Brahmins and priests were endowed with *Brahmadaya* lands and like palace priests and *Srotriyas,* they were exempted from taxation. *Acharyas* and men proficient in learning were employed for the propagation of education.

Megasthenes speaks of *Brachmanes,* philosophic Brahmins and *Gramanes Sramana* ascetics. They were held in higher estimation than the others.[1] From the time of their conception in the womb they were under the care and the guardianship of learned men. After birth, the childern were under the care of one person after another as they advanced in years, because their masters were men of superior accomplishments.

The philosophers resided in a grove in front of the City within a moderately sized enclosure. They lived in simple style and lay on pallets of straw and skins. They abstained from animal food and sexual pleasures and occupied their time in listening to serious

1. Macrindle Tr. Works of Megasthenes Arrian and Strabo.

discourses and in imparting knowledge to willing ears. The listener was required to exercise great self-control. After 37 years of study, each individual returned to his own profession where he lived in security and under less restraint, wearing robes of muslin and a few gold ornaments on his fingers and ears. Nearchas says 'No one who despises alike pleasure and pain, and life and death, need be subject to another, and this is the character both of a good man and of a good woman. They respect truth and virtue, abstain from wine and women, from unlawful appropriation of the properties of others. They communicate with the Kings who consult them by messengers regarding the Cause of things, of the mystery of birth and death, of the nature of Soul and of immortality.'

Little information is available about ancient Universities in the *Artha Sāstra*, though Kautilya is believed to have been a pupil of the University of Taxila. It was one of the primary functions of the State to maintain the distressed members of the community and to provide suitable lodging and food for the orphans, the aged, the infirm and the afflicted. Childern and pregnant woman received special care and it was one of the cardinal tenets of *Dharmic* life that in a well-ordered and efficient State no one should starve or suffer, for lack of food and medical attention.[1] The orphans were fed and educated by the State.[2] There was free distribution of food among

1. Artha Sastra Bk. II, Ch. 1.
2. Artha Sastra Bk. I, Ch. 12.

the poor Rest houses for distressed travellers, excavation of tanks to supply water, hospitals for the supply of free medicine, were constructed in important centres of the kingdom

There was an elaborate system of medical relief which was well organised and controlled by the State Distressed foreigners were well attended to by *Anikasthas* (Surgeons) and if dead, they were buried or burnt, and their property was delivered to their relatives Kautilya mentions of veterinary surgeons administering medicine for horses, elephants and other animals Widows and helpless persons with mutilated limbs, were given employment in weaving manufactories and respectable women were supplied with thread which they would manipulate into finished goods before selling them to the State

The Status of the Lower Orders in Society

The slave class existed in the Greek State in order that the citizen body might be free to do its duties The slaves were no rival part of the City They were merely instruments or living tools which Nature had provided and they differed from the citizens as the body differs from Soul or the brute from man Aristotle places not only slaves but artisans, labourers, shop keepers among the excluded classes, for manual and mercantile labour tends to make the minds of men unfree and their bodies degraded, and he thus altogether over estimates the effect of social conditions and occupations upon character. The noble life is restricted to politics

and philosophy, and he does not seek to develop in the mass of the people, the highest type of life of which they are capable. The aristocratic sentiment colours Aristotle's thinking. He looks to the dignity, the inherent distinction and excellence of man's personality, and this attitude reveals a certain exclusiveness of the mind and a tone of contempt for what is worthy in the common place. Aristotle justifies slavery by 'the principle of Rule and Subjection' which pervades all nature', and the slave is an 'animate instrument' belonging wholly to his master in virtue of the latter's intrinsic moral superiority. There ought to be proper relations between the two classes so that virtuous citizens might develop the life of Virtue. It did not occur to either Plato or Aristotle that slaves could have rights in virtue of being men, and that there was an essential humanity which distinguished men apart form the nature of services they rendered.

The Guardians of Plato with their rigourous training and privileges bear remarkable analogies to the Brahmin. The Auxiliaries of Plato are near kindred to the common *Kshatriya* and the *Vaisya* and the artisans who were devoted to industrial and commercial pursuits. The Indian theory does not agree either with Plato or with Aristotle that there were some people who were born to serve and others born to be served, though exclusive attention was given to the hereditary principle in India. Kautilya's conception of service of the lower orders to the community comes, as a refreshing contrast to either of Plato or of Aristotle's conception.

A remarkable coincidence between the Indian and the Greek point of view was that Plato like the author of *Purusha Sukta* seeks to maintain the pre eminence of his Guardians by a story about their mystic origin The development in Hindu social hierarchy was determined by historical causes The status of each group depended on the importance and nature of political rights it enjoyed Each caste or stratum was determined by its political status which was again determined by its economic status which determined in turn social status Social differences and inequalities became more acute with the advance of society towards feudal incrustation leading to the passing of vexatious laws and restrictions limiting the freedom of the poorer classes The basis of the differentiation was economic and one cannot fail to notice the operation of the forces of dialectical materialism as the under current of social upheavals and movements in ancient India The Brahmins asserted their superiority over *Rajanya* but later they were defeated in the field[1] The Brahmins were ridiculed by the Buddhists and this indicated in the Republican days of Buddhist supremacy that there was the assertion of the supremacy of the Kshatriya[2] The Brahmins stigmatized heretical sects as *Anarya* while the Buddhist and the lower orders rebelled against Vedic sacerdotalism and established a democratic religion and a democratic polity

1 Pargiter Ancient Indian Historical Tradition p 100 200
2 R Fick The Social Organization in North East India in Buddha s time Tr by Maitra p 86-87

The period of the ascendency of the Nandas marks another instance of the State forming and modifying the social stratification The ascendency of the fourth caste under the leadership of a Visvasphani,[1] by the destruction of the old nobility, was the most significant feature of the period of the Mauryas The Mauryan State was secular in which fundamental distinctions did not operate There was no inflexible rigidity between the Orders, and the relationships between the castes did not betoken the iniquities that characterised pre Buddhistic Epochs In the Brahminical Sutras and in the period preceding Mauryan ascendency, there were anathemas against the *Dasas* and Sudras, but these were probably only prejudiced sayings of an interested class, while the actual working conditions were entirely different, for *Purusha Sukta* ascribed a common origin of all castes and the *Dharma Sastrakaras* like *Baudhayana* permitted marriages between Brahmanas and Sudras[2] and *Apasthambha* allowed Sudras to cook food for their master But discrimination was made against Vaishyas and Sudras in certain matters of social and legal rights, and punishment was meted out in order of superiority or *Varnas* Even Kautilya and other *Artha Sastrakaras* were not exempt from this bias towards the higher

1 Pargiter The Dynasties of the Kali Age p 73
K P Jayaswal Imperial History of India,
do Tagore Law Lectures
Age of Manu and Yagnavalkya p 13
2 P V Kane History of the Dharma Sastras, Vol 1 1930, p 18

Arya connoted free citizenship divorced from dependence on hereditary or class principles, and *Arya* was thus incompatible with slavery.[1] Kautilya recognized mixed castes and the claims of the offspring of *Pratiloma* marriage for inheritance. He permitted Sudra witnesses in the Courts in the matter of taking oaths.[2] Kautilya employed the term '*Aryabhava*' to signify privileges of citizenship which he could bestow upon any person irrespective of birth or class in which he was born.[3] There were Aryans by birth, and also *Aryabhavas* those who had been elevated to the status of Aryas by the fiat of the State. The term *Arya* was made synonymous with freedom and inconsistent with servitude.[4] The Sudra is described by Kautilya as *Arya Prān* breathing the breath of an Arya who was naturally a freeborn citizen. "The selling or mortgaging by kinsmen of the life of a Sudra who is not a born slave and has not attained majority but is an *Arya* by birth shall be punished with a fine of 12 Panas'.[5] Kautilya states that it is no crime for Mlechchas to sell or mortgage the life of their own offspring. But never shall an Arya be subjected to slavery. '*Nathyevaryasya Dāsa Bhāvah* Likewise, to deceive a slave of his money or to deprive him of the privileges he could exercise as an Arya,

1. Artha Sastra : Book III Chapter 13
2. Artha Sastra : Book III Chapter 7, Ch. 6
3. Artha Sastra : Book III Chapter 13.
4. Jayaswal Tagore Law Lectures :
   Age of Manu and Yagnavalkya, p. 28-29.
   Datta : Studies in Indian Social Polity
5. Artha Sastra : Book III Chapter 13

the *Aryabhāva* shall be punished with half the fine normally levied for enslaving the life of an Arya. While the tradition was that the son of a slave was born a slave, Kautilya makes a revolutionary statement when he declares that the son of a slave irrespective of his father's status is an *Arya*, and that the offspring of a man who has sold himself off as a slave shall be an Arya and that he might regain his *Aryahood* by payment of the value of enslavement. Though Kautilya was severe to the Sudras as regards inflicting of fines and of punishment while conceding at the same time immunity to Brahmins, he attempts at a mitigation *of the economic and social conditions of the* Sudras by decreeing that the Sudra might regain Aryahood by payment of money.[1]

Kautilya gave the Sudra the status of an *Arya* and developed in his Artha Sastra, a scheme of equality in law suits and equality of punishment. It is remarkable that Kautilya in matters of punishment for offences, made no discrimination between Brahmins and Sudras and did not bestow on Brahmins, immunity from criminal penalty. The infliction of penances on the Brahmin delinquents was regarded by *Dharma Sastras* as a spiritual counterpart of Artha Sastra administration of criminal law. But Artha Sastra of Kautilya gave the real and regular civil and criminal laws which were *Imperial confirmation of existing practices*, an equal status in secular affairs. According to Kautilya,

1. Artha Sastra : Book III Chapter 13
Atmavikrayinah prajam Arya vidyat

though no Brahmin offender could be tortured, he had to be branded to a wound after the offence being proclaimed in public and then banished into exile or sent to mines for life[1] In case of treachery, forcing enterance into the King's harem fomenting rebellion among wild tribes or creating disaffection in forests and in the country parts, the Brahmin offender was punished with death by drowning[2] The great contribution of Kautilya was the bestowal of Aryahood or citizenship on any freeman irrespective of his class or birth and Aryahood was understood as a privilege that was cultural and not racial

As a result of the progressive secularisation of society due to innovations contemplated by Artha Sastra and the administration of Chandragupta, the country was prepared for the reception of the great moral transformation later ushered in by Asoka and his administration Asoka did away with certain legal inequalities which Kautilya out of love to Brahminism had left untouched in his Artha Sastra His Edicts testify to his observance of the principles of equality of punishment and equality before the law[3] Asoka took away from unworthy Brahmins the benefices that they were enjoying from old times[4] He forbade animal sacrifices and declared the *Bhudevas* as false gods,

1 R Shama Sastry Artha Sastra 1929 Book IV Ch VIII 222
2 R Shama Sastry Artha Sastra 1929 Book IV Ch II 229
3 Corpus Inscriptionorum Indicarum Vol I
Fourth pillar Edict Delhi Topra p 125
Danda Samata and Vyavahara Samata
4 C I I First Rock Edict Girnar Ninth Rock Edict

and by appointing *Dharmamahāmatras* drawn from the different sections of the community he neutralised the hold of the Brahmin Theocracy on the people. Asoka built a bureaucracy without a *Varna* basis. The development of equality before the Law was an infringement of the monopoly of rights of the Brahmins, and thus the ground was prepared for a Brahminical revolt and for an assertion of Brahminical superiority, in the centuries that followed the dissolution of the Mauryan Empire. The wish to do good and to make *Artha* coincide with *Dharma*, was based on the defiinite conviction that the justification of power was to be in the good of the community, which was to be regarded as the *Summum Bonum* of human existence. This was also the meaning of Politics as could be made out in the Inscription of Asoka. The Mauryan polity was based on the great ideas of Kautilya which were one of the harmonisation, *Dharmārtha aviyōdhena kāmam Sēvēta—Na Nissukha Syāt-- Samamva trivargam anyōnya anubandham—ekō hi ati assēvito Dharmārtha Kamānām itarāu pidayati*

Women in the Artha Sastra Society

To Kautilya, the State must regulate and try to improve every aspect of social life, not merely the organisation of guilds but more important even than that, the institutions of marriage and family life For to Kautilya, the *State* was commensurate with *Society*. He promoted the true religion, by undertaking through the agency of the State, to reduce the incidence of a life of asceticism on the social energy of manhood and womanhood of his Times. He tried to Counteract the inculcation of the spirit of

otherworldliness by the inculcation of a spirit of social service. He laid down that women should not be converted to a life of renunciation, and punished the youth of the Rashtra if they showed a prediliction to a life of Sanyasa, while their services were required for the consolidation of the State. Only men beyond the middle age, and after having made provision for their dependents could eschew the world for a life of solitude. The movements of ascetic organisations were regulated and their incidence for maintenance on the honest and industrious population was reduced.

Kautilya provided for subsistence to poor pregnant women and to their new born offspring. Pensions were prescribed for the aged and the infirm the afflicted and the helpless and to orphans. While Kautilya recognised the importance of State control and regulation of the destitute, infirm and the needy, he did not over look the equally important claims of social control and of family life.

Love was not denied its rightful freedom, but was not allowed to gravitate toward strange aberrations. It was not allowed to be perverted to incestuous purposes which invited mutilation and death. While Kautilya accepted the subjection of woman in married life, he did not allow this natural inequality to confirm domestic unhappiness. Divorce was permitted on the ground of mutual enmity with the consent of both parties. Apprehension of danger or hatred could be a justificable ground for separation and *Adhivēdana*. Transgressions were

punished with fines. Refractory women had to be corrected by abuse, or by three strokes from a cane or with the palm of the hand, and every effort had to be made to bring the guilty party to humility. Kautilya favoured monogamy.

True to Manu's dictum '*Yatra Nāryasya Pūjyonte tatra ramante Dēvatāh*'. God's roam in the country where Women are honoured; Kautilya too, has made the honour of women one of the chief cares of State Law. Criminal intimacy with immature girls, even with their consent, and unnatural offences. '*Stri Ayonau Gachhatah Purusha Adhimehatasccha maitunam vā Sāhasa Dandam*' and such other crimes were punished with heavy penalties. The provision of protection was extended even to daughters of *Ganikās* and *Rupadāsis*. Female slaves were regarded as inviolable, and in case of child birth both mother and infant earned their emancipation. Outrages on widows and orphans were severely dealt with.

As Kautilya was an admirer of the *Varnāsrama* Ideal and caste heirarchy, the laws with regard to *Anuloma* and *pratiloma* alliances and irregular unions were very severe. Prostitution was subjected to minute regulations; likewise minute regulations pervaded the law on elopement. The question of inheritance likewise received the most complicated analysis known to law. There was the general rule of equal division of property.

One bright feature in the Arthasastra was the increased respect that was shown to women in the

matter of marriage, contract and divorce. According to Kautilya, girls at the age of twelve and men at the age of sixteen were eligible for marriage or *Prāpta Vyavahāra*. A woman was entitled to claim maintenance in proportion to the income of the maintainer; *Yathā Purusha Parnāpamva*; but she was not eligible for maintenance, in case she lived independently of her husband. She was not to engage herself in amorous sports or get addicted to drink and evil habits. Transgressions were punished; likewise forbidden transactions between men and women. Vagrancy, elopement and long sojourns and *Parigrhati gatayām* and criminal rendezvous, were punishable with heavy fines, bodily injury and loss of all kinds of social privileges : *Sarvadharmalopascha*.

The system of marriage was sacramental; but it emphasized the importance of contractual obligations. The women enjoyed a large measure of freedom, and the relations between man and woman were reciprocal in character. Neither of them could practice cruelty on the other and the extent or limits of personal freedom hinged on the nature and the extent of maintenance *Sulka*, man was capable of providing for. The obligation of a wife to serve her husband for a short or a long period depended on the amount of maintenance and the caste of the husband. Kautilya prohibits women of the higher castes and who are married according to religious rites, *Dharma Viuāhāt* from enjoying the privileges that were allowed for others. Marriages contracted in accordance with *Dharma* could not be dissolved.

Kautilya permits remarriages of women under special circumstances ; women not provided for by *Sulka*, had the right of remarriage with the permission of *Gnatis*. Those, whose husbands, were abroad for a long time, or who suffered from incurable ailments or were sterile, could remarry, if they desired. Women who remarried *Savarna* husbands to prevent extinction of race, were not liable to contempt. A woman could marry whom she liked provided the husband could maintain her and relieve her misery. Widows were permitted to marry the brothers of the husbands. Kautilya says "on death of the husband, a woman wishing to lead a virtuous life shall at once receive not only her endowment money and jewellery but also the balance of dowry due to her" If she is desirous of a second marriage, she shall be given on that occasion of her marriage whatever her father-in-law or husband or both had given her. If a widow marries any man other than the one selected by her father-in-law, she shall forfeit whatever had been given to her by her father-in-law and her husband. If a husband is of bad character or is long-gone abroad or is guilty of high treason or is dangerous to his wife or has become outcast or has lost virility, he may be abandoned by his wife.[1] A woman had a right of maintenance from her husband in case he was away for a long time From mutual enmity, divorce *Moksa* could be obtained. Kautilya sanctions *Adhivedana*, and he also approves of *Niyoga*. A woman whose

1. Artha Sastra : Book III. Ch. 4

husband is dead and who desires offspring, may bear a son to her brother-in-law. "Let her obtain the permission of her *Gurus* and let her meet him during the proper season only". Neglect of the wife and inattention to her was regarded as a violation of duty, *Dharmavada*.[1] On failure of a brother-in-law, she could obtain off-spring from a *Sapinda* or a *Samāna Pravara* or one who belonged to the same caste.

Like Kautilya, Aristotle says that the house-hold comes into being for one end and exists for better things. Reproduction is a path to immortality and the family in its definitive form, a sort of a younger sister of the State, a sort of a School of moral training. The tendency of the house-hold is to inequality ; that of the State to absolute or proportionate eqality. Aristotle does not pause to prove that the house-hold should be a monogamic house-hold ; and he, like Kautilya, fixes age for mariage.

The relation between husband and wife is a co-operative union of especial closeness and permanence for the highest ends ; they are not only friends but sharers in a common work. The husband was to treat the wife with great reverence and respect ; while the wife is supreme over all that passes within the house she reserved to the husband the right of deciding who are to be allowed to cross its threshold and even the right of conducting all negotiations for the marriage of childern. Women according to Aristotle, were pledged to conjugal silence in the

1. Artha Sastra : Book III, Ch. 4.

interest of domestic harmony ; and the wife was to refrain from opposing the husband so long as he did not encroach upon her domain. Aristotle's view on divorce is not clear and he does not mention the subject of prohibited degrees of relationship. Adultery on the part of either husband or wife was to be visited with condign punishment and to be treated as disgraceful throughout the whole term of marriage. Kautilya likewise prescribes fines and punishment for women tainted with sin; but he seems to be more lenient in his treatment of women than Aristotle is, both as regards marriage and inheritance.

The women in the Artha Sastra enjoys certain legal rights and immunities which are not vouchsafed in the Politics of Aristotle. Kautilya permits *Adhivedana* and divorce for women in case of long absence of the husband or when the partner suffers from incurable illness and from such afflictions that prevent him from being an effective householder and the father and head of the family. Plato in his Laws allows of divorce for incompatibility of temperament though not without the intervention of the State, but his whole conception of the house-hold implies the view that wedlock is normally a life-long union. This is still more true of Aristotle though he would permit the dissolution of an ill-matched or unsatisfactory union, as occasionally necessary. Family to both Kautilya and Aristotle is the source of spiritual influence, the regulator of virtue and the determinant of the education and inheritance of progeny. Kautilya

respected the endowment of manliness *Manushopetah* and accorded it a priority in marriage and in division of property. Inheritance was larger in the case of individuals who had superior or *manly* qualities

CHAPTER XIII

THE TIRTHA' IN KAUTILYA

There is complete agreement between Aristotle, Plato and Kautilya in regarding Ethics and Politics as identical and assigning a normal and spiritual significance to associated living and in believing that the happy life is virtuous life for the fulfilment of which the whole creation moves Plato gives a picture of unattainable ideals Aristotle of the descent of the Ideal to the Real, and Kautilya of the ascent of the Real through spiritual effort to the Ideal Aristotle's doctrine of distributive justice resembles Kautilyan thought. The State is constituted to promote virtue and to distribute its rewards and offices to those who would best help to Pursue the good life and to associate most Power to the most virtuous in the community Though this kind of distributive justice engendered inequality, it was a warrant against manifest injustice resulting from giving to the unfit, rewards and offices that are due to the fit There was no denial of the right of personality and the value of the contribution made individually or collectively by other classes, castes and professions in society commensurate with their abilities to the promotion of the moral life of the community

Kautilya too like Plato and Aristotle, discovers that there are two *norms* the one, ordinary which is possible to the great mass of mankind with faith in a future spiritual regeneration, and the other

extraordinary; possible for the *Sresthas* or *Tirthas*. There are three aspects of the cultural *norm*, *Dharma* which was propriety or socially approved conduct inclusive of law, usage and morality, *Artha*, worldly advantage and advancement, and *Karma*, desire. All the texts plead that man should cultivate all the three without the activities of any one of them, violating the others. But the extraordinary *norm* which had a metaphysical background involved the rejection of ordinary human aims and the acceptance of aims as the attainment of *Jnana* or *Moksha* unattainable by the generality of mankind. There was profound veneration for the great exponents of this extraordinary norm. The Hindu accepted the dichotomy between the ordinary life and extraordinary life which through moral life and a punctillious observance of all the ceremonial ordinances of Dharma would move on to a complete and permanent freedom; free from Transmigration and from the law of *Karma* which regulated it. To the seeker of truth, *Artha*, *Kāma* and *Dharma* are important in early stages, for these are instrumental or means to *Nisrēyasa Sādhana*. *Dharma* is conformity to conventional morality, and *Dharmic* living as the pursuit of *Artha* and *Kāma* which all fetter one's existence, will become ethical as they lead man beyond *Labha* and *Puja* to the liberation of the soul. The *Upanishads* apply the term *Dhira* to a mind that is bent on transcending the limits of empirical knowledge; for his fundamental aim is the attainment and realisa-

Edgerton : Journal of the American Oriental Society. Sept. 1942.

tion of the Infinite and regarding birth and death as shadows of eternity. There is the emphasis on *Artha* and *Kāma* among modes of living as ethical, as perfection must precede liberation and as the regressive tendencies create the necessary urge to renounce normal worldly life and take to the ideal norm of the wandering monk. Disinterested action or a life of pure unselfishness amidst interested action and self gives the necessary mental and spiritual discipline for a supreme effort to get the release of the soul from continued rebirth. Disinterested action allows redemption for any individual irrespective of the castes, although living normal worldly life. Man could not escape from his station in society and the duties and responsibilities associated with his station; and the supremely moral man even while he lived by this ordinary norm identified his self with the self of all beings and delighted in their welfare.

Such an individual is described by Kautilya as a *Tirtha* which means in ordinary parlance a ford or a passage, and one who showed a passage through life to the other world and for the benefit of mankind. It is said that King Ajatasatru of Magadha was in the habit of paying homage to *Tithiyas* and to the celebrated teachers of his time. The Jains called their teachers *Tirthankaras* and Vishnu has been called *Tirthakara* in the Mahabhārata[1] Dr. Bhandarkar says 'The main object of *Dandaniti* was to encourage and foster the life of a philosopher and ensure the continuance of thought

1. Anusasana Parva. Ch. 149, Vol. 47

in the sphere of higher realms with a view to discover a correct pathway to the next world, to enlightenment and to the exaltation of mankind.[1] Asoka honoured the various sects and recluses and householders who led this life and insisted upon his people showing reverence and giving gifts[2] to such holy men however divergent their tenets might have been. Illustrious rulers of India long before Asoka had respected this mode of living and had paid homage even to slaves when they became recluses. It was customary for kings to develop the natural resources of their kingdom and augment the sources of the state revenue, so that they might give gifts, grant safety to holy personages and provision for their comforts.[3]

Kautilya appreciated the full import of the fourth constituent of *Dandaniti* when he declares that the King should discover the *Tirthas* and bestow the augmented portion of his wealth on them.

'Vriddhasya Tirthēshu Pratipādani' The *Tirtha* was one who had attained an equillibrium between static and dynamic forces of society, one who was a genuine lover of knowledge and free from taint of cowardice, pettiness covetousness and fear and who was loftyminded and who followed truth and justice. The *Tirtha* was a universalist, a believer not only in legal but also in

1. Dr. Bhandarkar : Some Aspects of Ancient Hindu Polity, p. 198.
2. Manu, VIII, verses 99-101
   Santhiparva : Ch. LIX v 57, CXL, v 5
3. 'Yagnadāna tapah Karma pavanāni Manōshinaya.'

transcendental equality. He was a *Samadarsi* who saw the finite existing in the infinite and the finite acquiring reality by existing in the infinite. He was peculiarly inclined toward a harmony among all the contending aims and objects of life ; and his recognition of the Infinite in every thing was not a mere intellectual concept but the very life principle recognised in all sentient beings, plants and animals.[1]

The *Tirtha* was the invigorating impulse to lift society to a higher plane of perfection and to discover beneath inertia, outworn forms and obsolete habits of living, the integrity of the social soul, and to defend or modify society so as to make it an embodiment of this living dynamic force. Society was static so long man did nothing better than follow the social patterns performing various acts for *Dharma*, *Artha* and *Kāma*. The *Tirtha* as the leader of society, free from ignorance and self-interest could discriminate between *Dharma* and *Adharma*, indicate the ills of life and just results of misdeeds and the way out of the relentlessness of the Law of Nature, He was the doctor who could diagnose the diseased condition of social organisation, which would lead to annihilation and administer the antidote to it by a new *dharmic* way of life, either by revitalising some old concepts or by suggestion of a new principle which would energise society to a life of righteousness and justice.[2] The life of the *Tirtha* was thus dedicated for the increase of the aggregate

1. Max Muller India, what can it Teach us. Lecture III
B. Ray Aims and Ideals of Ancient Indian Culture. 1938
2. Sruti Smrti Sadācharah Svasya Chā Priyamatmanah. Samyak Sankalpajah II Kamo Dharmamulamidamsmrtam Yagnavalkya T. 7.

of righteousness in society and to preserve the integrity of the developing social order.[1]

Kautilya recognised the inter-relation among all the different systems of thought of his day and attempted at a synthesis of Vedic ritualism, *Jnana* and Puranik *Bhakti* and the Buddhistic theory of *Karma* and love and brotherhood of mankind. The high place that Kautilya has given to *Tirthas* or the 'Elect' in Artha Sastra as the leaders of mankind to be venerated by the king and the people, testifies to the extraordinary ethical development of the Age.

The Hindu spiritual culture was indissolubly bound up with every phase of the ancient Hindu civilization, and had influenced and determined to a great extent, their manners, customs and institutions, through which their thoughts and feelings found expression. Max Muller once said 'that India with her civilization was unique as was her literature in the history of the world, and this uniqueness lay in this fact, that the whole nation was bent on the search for spiritual truth and from one end of the land to the other, people sought and honoured spiritual freedom. The nation was formed for a spiritual purpose, planned to assist spiritual evolution The State was formed to a spiritual end; the family was built on a spiritual basis, the whole daily life expressive of *Asrama* stages of existence was moulded

1. Journal of the American Oriental Society, September 1942, p. 153.

to conduce to spiritual progress.[1] Kautilya had visualized that India, the home of spiritual realities, showed a downward trend, and that the disorganisation and disuse of the *Asrama* stages of life as the direct result of Buddhistic influences, were responsible for the spiritual ebb among the people. The decline of material prosperity was due to the fact that spiritual and religious matters came to receive too much of attention, and there was the total neglect of the second stage of life which was principally devoted to the secular side of human life and society. That *Artha* was the basis upon which Dharma and *Moksha* depended, went unheeded, and *Yogakshema Sadhana*, the life of acquisition, preservation and improvement, which was preeminently secular, was relegated to the background. The stages of life with their proper allotment of duties were so well planned that each stage had a particular contribution to make to the ideals af human life and to minister to the necessities of that society

But the Buddhist conception of life had fostered a social organization in which the *Grihastha* was taken out of his duties and obligations to the social and economic life of society, to the all absorbing aspiration of renunciation and divine contemplation. There was the encroachment of the ideal of life of the third and the fourth stages of life upon that of the second, bringing about a dislocation of *Asrama* organisation and preventing a smooth and ordered flow of aspirants

1. Max Muller · India, What can it teach us ?

duly disciplined, from one stage to the next. The defective functioning of the second and of the secular stage of existence and the deviation from the prescribed duties and obligations, starved secular well-being and reduced and impoverished the candidates who were zealous in the pursuit of secular duties and upon whom depended principally the material welfare of the country.

Kautilya denounced this tendency which enhanced the value of religious life to the detriment of the secular aspects of society. As a result of the impact of the Nihilistic religion of Buddhism and Jainism upon Hindu society, the Hindu social organization which served to maintain the regular supply of a large number of persons with opportunities to enter the higher life under the direction of adepts, who again could thus obtain greater opportunities of lifting a large number of persons from among the initiated to the higher rung of spiritual life, was disrupted. Kautilya accordingly sounded a note of warning to the generation, that the dissolution of society would follow on the total absorption of society in rapturous contemplation of spiritual matters to the neglect of *Artha* which was the foundation of *Dharma*. Like Sound and Meaning, or Macrocosm and Microcosm essential to an enumeration of Truth, *Artha* and *Dharma* are a combination *ensemble*; and the consequence of a divorce of action from contemplation, or of temporal power from spiritual authority, is a state of *Matsya Nyāya* with no conscience and ideals, leading to an imbecile and unprincipled tyranny of Theocracy.

Kautilya envisaged a comprehensive social plan which realised *Dharma* through *Artha* which united regulation and freedom, functional division and group autonomy, loyalty to the State and to social groups with loyalty to eternal norms of conduct; equality of functions with recognition of natural inequality so as to substitute an equality of service in place of both. It was a beneficient eclecticism which reflected the tolerance of every religious effort and harmonised them all on the solid foundation of *Răshtra Dharma*.

Kautilya like Plato and Aristotle, was both a patriot and a philosopher. He sought to restore rational government in India and also to trace the ideal outline of human society. As man can achieve his full life by the pursuit of *Varna Asrama Dharma*, Kautilya met the universal craving of man for some guiding and saving power external to the individual, by pointing not to a priesthood or *Vedantism* but to a *Swami*, the embodiment of the State, and who alone could fulfil the ends of man and preserve him from distortion and destruction.

All the three philosophers held that the re-organisation of the State must be based on a re-organisation of knowledge and Kautilya spoke of *Anvikshiki*, *Trayai*, *Danda* and *Vărta* as the four corner stones of knowledge. All the three, base politics not on opinion but on science and Kautilya bases *Danda* not on *Trayi* but on *Artha* illumined by *Trayi*.

Again, Plato, Aristotle and Kautilya point at the

moral and political misconceptions which had destroyed the integrity of States and had devitalised them, by destroying the unity and the best endowed natures of each. The solution for this malady according to Plato and Aristotle was : let every class possess the virtues demanded by the position which it has to fill ; let the mass of men be just and temperate, the soldiers be brave and obedient to their rulers; and let the rulers be men of high natural gifts and worth, and to whom philosophy has given a glimpse af real existence, and who have learnt to be wise and just and good by contact with nature.

Kautilya likewise, recognises the importance of *Varnāshrama Dharma* which upholds the social order based on a class division according to intrinsic natures and aptitudes, and demands conformity to it. *Danda* no longer corrupts the best natures, but trains them to rule, by training them in philosophy. Power must be allotted to each state conformably to the social conditions prevailing in it, and those who exercise power must be moderate and avoid extremes and deviations from the path of *Varna Ashrama Dharma* which regards virtuous action as the main constituent of happiness.

The ideals of Ethics is self-realisation; and moral life is a life of reason, which in turn is a life of selfless devotion to the world. So escape from sin is escape from selfishness, by enlarging onself by a series of social disciplines and self-control, till the individual found himself identified with the good of all others

through a life of passionate love and enthusiasm for Humanity. To Kautilya, Dharma was an ethical concept and in the context of the individual it was moral duties and responsibilities, in the context of society it was the solidarity of the *Rāshptra Janapada*; in the context of the religion of the community, it was self-realisation *Moksha*; and in the context of *Vyavahara* and *Charitra* and enacted law, it was justice or *Nyaya*. So Dharma was relative to age, time, place and circumstances and temperament, and any successfully planned and just Society had to allow in its construction, for differences in talent aptitudes, sex and age and accordingly for *differences* of rights and obligations.

Dharma was one of strenuosity and avoidance of sloth, and directed towards higher and higher synthesis through *Varnā Asrama* and participation in a comprehensive scheme of obligations and duties. *Dharma* had to satisfy conscience or purified reason and of the soul of the virtuous who lived as ordinary members of Society, but with a transcendental vision; it thus acquired the attribute of universality as it had to satisfy the non-attached wise men who pursued the eternal as against the ephemeral.

Then the *Rashtra* exists for the common good and the government which promotes virtuous action, is ✓ government for the common good. Kautilya regards strenuosity *Vyayamah*, and tranquility *Samah* as two cardinal aspects of political existence. *Karmarambhanam Yogārādhana vyayāmah Karmaphalopa bhoganam kshemāradhanah*

Samah.[1] To Kautilya strenuosity and tranquility, *Yoga* and *Kshema* are the respective sources of exertion and peaceful possession. Strenuosity is the accomplishment by exertion, of the undertaking of activities. Tranquility is the accomplishment by peaceful possession of the enjoyment of the fruits of the activities once attained. *Apurva labho Yogah, tasya vyayamah karanam arjitanam nirvighnopabhogah kshemah*[2]

The supereme value of the *Artha Sastra* consists in its giving a badly wanted corrective to the other-worldly bias of the Indian temperament and character. Kautilya warns that the gap between principles and practice is deadly, and that *Anartha, Adharma* and *Soka* follow a life of inaction *Svatah Paratova bhayotpattir anarthah.* Life should be made *Sārthaka* by the avoidance of *anartha* and by active pursuit of *Purushārtha.* Thus, with *Yogakshema Sādhana,* the *Rashtra* will be at one with itself and the soul of the individual will be so too, and a moral and political regeneration will proceed hand in hand with the regeneration of *Artha* which undoubtedly will be fulfilled in self-realisation.

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